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AN

ESSAY

ON THE

REVENUES

OF THE

CHURCH OF ENGLAND:

WITH

AN INQUIRY

INTO THE

NECESSITY, JUSTICE, AND POLICY

OF AN

ABOLITION OR COMMUTATION

OF

TITHES.

27211

BY THE

REV. MORGAN COVE, D.C.L.

PREBENDARY OF HEREFORD, AND RECTOR OF EATON BISHOP, HEREFORDSHIRE.

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CORRECTED AND GREATLY ENLARGED.

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TESTS

TO

THE FRIENDS

OF OUR

EXCELLENT CONSTITUTION

IN

CHURCH AND STATE,

THE

FOLLOWING WORK

IS

RESPECTFULLY INSCRIBED

BY

THE AUTHOR.

ADVERTISEMENT.

THE first edition of "An Essay on the Reve-"nues of the Church of England" was published anonymously, in 1795. To the second, in 1797, the Author was induced to add his name; as the subject appeared to have excited the attention of persons of extensive erudition, and in distinguished situations.

To the present edition, he has added "An In-"quiry into the Necessity, Justice and Policy of a "Commutation of Tithes," first published in 1800. And in republishing both works, he has been solely actuated by the desire of explaining the nature of the Revenues of the Established Church; and, by placing the conduct of the Clergy in the receipt of those Revenues in a just and honorable point of view, to shew, that an Abolition or Commutation of Tithes is, neither requisite, just, nor expedient.

The author is aware, that his quotations may appear too numerous, and that they might have been compressed: but he trusts, that their apposite illustration will excuse their number and length;

and that their varied information will possibly afford novelty and amusement.

He is to request, that any variation, which may be remarked in the sentiments, calculations, or statements in this edition, may be ascribed to the result of additional inquiries, and unwearied attention to the subject, during the last twenty years.

Lastly, he takes leave to mention, that, by the kind permission of the Author, and of the Printer, he has been enabled to add, in an Appendix, "Thoughts on the Commutation, or Abolition of "Tithes, by William Clark, Esq. a Member of the "Bath and West of England Society." The Tract is reprinted at full length, as it would have been impossible to have done justice to it, by any extracts or abridgment: it is written with great clearness and ability; and investigates the important question, respecting the influence of Tithes, in the most dispassionate language: it strongly corroborates the statements and arguments, advanced in various parts of the following work: and, as it can scarcely fail to forcibly arrest the attention of the reader, it may perhaps enlighten the suspicious minds of the uninformed, correct the erroneous notions of the prejudiced, and calm the ungenerous hostility of the selfish.

April, 1816.

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POSTSCRIPT.

THE Author having been prevented by indisposition from paying sufficient attention to the correction of the Press, requests his Readers to excuse a few trifling inaccuracies, and to correct the following more important Errata.

Page	71,	Line 33, those, read, these.
	73,	20, strike out, had.
	81,	29, by tithes, read, of tithes.
	168,	2, 74,700, read, £74,700.
		3, 146,200, read, £146,200.
	184,	31, ishop, read, bishop.
	190,	17, effected, read, affected.
	195,	20, proofs, read, process.
	226,	31, strike out, corn.
	268,	6, addition, read, additional.
	330,	4, interest*, read, interest*. Our
	392,	15, he, read, the.
	394,	6, bee, read, been.
	424,	14, turn, read, return.
	485,	16, vicarage, read, the vicarage.
	495,	31, } his, read, their.
	496,	1, }

AN

ESSAY,

&c. &c.

CHAPTER THE FIRST.

ON THE OCCASION AND PLAN OF THE ESSAY.

THE Revenues of the Church of England have been a subject of frequent inquiry. Of late years, they have more particularly excited the attention of the public, having been openly and directly attacked, by several artful, unfair, and violent publications, as well as by other more indirect means, equally partial, insidious and unjust.

But, on a point of so much importance, as the necessary support of the Establishment of the Church of England, few of those, who have written so dogmatically, or talked so confidently, are qualified to decide. Hurried away by misinformation, passion, prejudice, or interest, they intirely disregard the broad and generous principles of reason and equity, and the more clear and

express declarations of positive law. And, though their assertions are not less notorious for misinformation than confidence, yet, being delivered in an authoritative tone, and impressed with a specious and imposing dignity, they are received and cherished by those of similar inclinations, as truths which are wholly incontrovertible.

However, though such superficial writers and declaimers may flatter themselves, that their opinions are supported by the soundest arguments, and rest upon the firmest basis, the following Essay, it is to be hoped, will open to them some sources of intelligence, and possibly of conviction, of which they may hitherto have had no idea. Even to those who may have considered the Subject more extensively, in a moral and political point of view, it may perhaps still suggest something, which may have either escaped their researches, or not experienced their minute investigation. And it may prove the happy means of calming the agitated mind of the public, towards the Ministers of the Established Religion and our Church Government, and of restoring the ancient pleasing intercourse, between the Payers and Receivers of Ecclesiastical Revenues.

But, according to the fond expectations of the declaimers against Tithes, a time must come, when Parliament will be obliged to intervene, and change the present mode of providing for the Ministers of the National Religion, to another less objectionable, and more agreeable, as they assert, to both parties.

It is an event, they tell us, which the existing generation of the Laity and Clergy may live to see: for, if the Board of Agriculture should, upon their further inquiry and close examination, deem an alteration necessary in the payment of Tithes, without doubt, the Legislature of the kingdom would, as they presume, lend a willing and attentive ear to their recommendation. And it is also an event, they go on to say, to which many of the Clergy look forward with a pleasing and even anxious expectation; especially those, who have already experienced contests with their parishioners, or such as have chosen to forego their just dues, and to give up their reasonable and legal rights, rather than, by entering into parochial disputes, to run the hazard, as it often happens, of rendering ineffectual their virtuous efforts for the spiritual improvement of their parishioners.

They go on still further to maintain, that the Ministers of Religion should be wholly detached from all temporal concerns; and therefore, whenever any change shall take place in the present mode of providing for those of the Established Church, they ought not, for that reason, to be allowed a landed compensation in lieu of Tithes. But on this point, the adversaries of the Tithe system are greatly at variance between themselves: for, whilst one part urges the propriety of a Corn-Rent as a commutation, the other is no less urgent in pressing a commutation in Land. And the opposers of the landed commutation assert, that, if Tithes should be exchanged for Land, (exclusive

of the evils, to be derived to the public, from throwing so large a quantity of it into mortmain, and individually to the Clergy, from their becoming subject to all the inconveniences and burthens of a landed property *,) the Established Clergy, generally speaking, would be reduced to the situation of Farmers, and be unavoidably necessitated to a frequent intercourse with persons in that rank of life. The result of which would be, that the Established Clergy would gradually experience a diminution of their professional respectability, and become of less importance in the opinion of the world, and might eventually be entirely disregarded: and that, from being accustomed to disregard them, men would, from an association of ideas, soon learn to slight and despise the Established Religion itself.

These are consequences, which the declaimers themselves against Tithes, and our modern church reformers, are very strenuous in insisting upon. And, moreover, so far are they from wishing to see any change adopted, which may tend to secularize the National Clergy, by forcing them into the

* Bishop Barrington's "Letter to the Clergy of the Diocese of Sarum, in 1790;" in which his Lordship, (as will be seen hereafter) with a very different motive from that which actuates the adversaries of the Ecclesiastical Establishment and its Revenues, expatiates on the disadvantages which must eventually accrue to the Clergy, by the commutation of the right of Tithe for Land. Also, "Observations on a general Commutation of Tithes for Land, or a Corn-Rent, in 1782;" wherein the evil consequences of a landed commutation are most forcibly displayed.

world and its concerns, that (supposing any alteration to be made in the mode of their present provision, by a Corn-Rent, or by a fixed and permanent income, assigned to them in lieu of Tithes,) they maintain, that it would be very necessary to restrain them, even from collecting such future revenue, whatever might be the appointed source of it. Nor, would the Established Clergy, in their opinion, be placed by any kind of change in a less eligible situation, than they now are; provided such a mode should be adopted, as would secure to them a provision equivalent to their present one arising from Tithes, and which would always bear a relative proportion to the necessaries of life; but, on the contrary, according to them, the Established Clergy, by the adoption of such a plan, would rank more independently in Society; and that, if their conduct was at all times conformable to their sacred profession, their use and influence would become still more beneficial and extensive.

And, under these specious pretences and great appearances of candor, it is artfully insinuated, that the Clergy do not at present possess the influence they ought to have, nor as yet fully answer the ends of their institution. But it may without any presumption be said, that the Ministers of the Church of England are not excelled by the Clergy of any other nation, in regard to their personal influence and example, as well as to their literary accomplishments. The tenor of their conduct, in general, is allowed to be irreproachable, if not ornamental to christianity; it is manly, candid,

mild and condescending to men of all persuasions, and as far removed from intolerance and bigotry, as from lukewarmness and indifference.

It is astonishing to think, from what source, the ill-will and aversion in so many, against our excellent Ecclesiastical Establishment, should originate; and from what cause, the Revenues of the National Clergy should be a subject of so much dissatisfaction and complaint: since the possessors of them, in their individual capacities, are far from being placed in a situation to create envy. And, if they themselves are, for the most part, not desirous of any alteration whatever, but are easy and satisfied with the present state of their revenues, (however they may feel inconveniences arising from it,) there can be no good and sufficient reason, why they should be disturbed in the peaceable enjoyment of a very moderate competency on the whole, chiefly to gratify discontented, restless, and turbulent spirits; who, under the ostensible motive of benefiting society, have no other object in view, than to benefit themselves.

It was observed, some years past, that "partly "through the increase of infidelity, and partly "from the prevailing moderation of wise men's "opinions respecting disputable tenets of Religion, "the Ecclesiastical Order had of late lost much of "that ascendent, which they seemed formerly to "have possessed over the higher classes of man; "so that in almost every country in Europe, under "every form of the Christian Religion, their "Establishments were either secretly envied and

"undermined, or very avowedly attacked; and it "might be apprehended, that a crisis of great "danger to their temporal rights and privileges "could not be far distant*." And accordingly, it hath been the constant practice of modern state quacks and empirical reformers, to attack any form of Government they disapprove of, through the sides of its National Religious Establishment. And, to enter into and overthrow this strong hold, they begin, by secretly prejudicing the minds of the people against their Clergy; by suggesting the mode of their maintenance, as oppressive and injurious; and by representing it to be enormous, and wholly unnecessary. Then, they proceed more openly to pronounce the Clergy to be undeserving of a maintenance, as being many of them inattentive to their professional duties, and dissolute in their lives. They, afterwards, declaim against Religious Establishments in general, and the National one in particular, as the very worst that ever existed; and that, in point of doctrine, usages, and government, it is anti-christian. Then, progressively, they make no scruple to question, and even to deny the truth of Religion itself, and to introduce in its stead, the baneful tenets of Infidelity, Deism, and Atheism. Lastly, when they find the body of a nation, to be freed from every sense of personal and social duty arising from religious impressions, and to be ready for every evil work, to which the corruption of human nature may incite,

* An Essay on the Right of Property in Land, 1782, p. 101.

or the machinations of artful advisers and abettors, may instigate, they flatter themselves, by a train of proceedings equally insidious and base, to succeed in overturning forms of government, however wisely established, or improved by the wisdom and experience of ages.

It may without hesitation be asserted, that, if the Civil Constitution of this Country should ever fatally suffer from such internal foes, it would be preceded by an attack upon our ecclesiastical Establishment. For,

"If we search into the annals of the civilized "world from the remotest antiquity to the present "time, we shall find that in all the varied forms "of Government which have prevailed, there have "been institutions of a religious as well as of a "political nature: and that every national Con- "stitution, with perhaps a single exception *, has "had its religious as well as its political part: and "that these parts are generally, if not always, so "blended and entwined together, that the one can- "not be destroyed without imminent danger to "the other †."

"The character and interests of an ecclesiastical "establishment cannot be separated from the best "interests of the people; nor are they to be "lightly considered, when viewed in connection "with the great objects of supporting the throne,

* This exception is supposed to refer to the American Constitution; whose Benefits, Utility and Stability remain to be proved by time and experience.

† Bishop Tomline's Charge, 1812.

" and of maintaining the Constitution of an united
" and great kingdom *."

" The interests of the Church of England are,
" to every enlightened statesman, the interests of
" the State itself †."

" The utility, wisdom and importance of an
" established Religion, has, I think, in most in-
" stances been acknowledged, in the plainest and
" strongest terms." And, " I cannot here forbear
" to observe, that the established Church has a sort
" of prescriptive claim to the support and attach-
" ment of every member of the State ‡."

" Religion and Law do so stand together, and so
" mutually support each other, being concentered
" in their original and end, both coming from God
" and tending to God; that as Religion and Law
" were given to make good men and good mem-
" bers of society, hence it is, that where Religion
" doth find a due regard and a conscientious prac-
" tice, and the Law a willing submission and a
" chearful obedience, there, if any where in the
" world, the prince will be glorious, and the people
" happy §."

" Our vain and new philosophers may allege
" what they will, but there can be no national
" prosperity of any duration, without Religion;

* Singers on the Numbers, &c. of the Clergy of Scotland, 1800, p. 4.

† Bishop Watson's Charge, 1802.

‡ Dr. Landon's Charity Sermon at St. Paul's, June 18th, 1812.

§ Preface to Croke's Reports, temp. Eliz.

" nor can there be any Religion without a re-
" spectable Clergy, nor a respectable Clergy with-
" out a decent maintenance being annexed to the
" office. The experiments, whether a State can
" exist without any established support for Reli-
" gion, and what is bolder still, whether a State
" can exist without any Religion at all, are both
" new in the history of civilized society. But the
" State that has no establishment for Religion, will
" soon have no Religion at all; and the State
" which has no Religion at all, can have no com-
" fort or security whatever *."

" Religion, without policy, is too simple to be
" safe; and policy, without Religion, is too subtle
" to be good: in history, as in life, they should go
" hand in hand †."

" It is impossible to overlook the utility of the
" Clergy as members of the State. While they
" are the Teachers of Religion, they are the aux-
" iliaries of the Law in guarding the public morals.
" As the allies of Government, their influence has
" been often experienced, and never more perhaps
" than a few years ago, when it so happily con-
" tributed to stop the progress of the destructive
" lava, which the volcano of the French Revolution
" had thrown into this kingdom, by explaining
" and recommending to their flocks our incompar-
" able Constitution ‡."

* Argyle Agricultural Report, 1798, p. 43.

† Archdeacon Churton's Lives of Bishop Smyth and Sir Richard Sutton, p. 87.

‡ Banff Agricultural Report, 1812, App. p. 5.

"The monarchy of England is not now capable "of being supported, but upon the principles of "the Church of England; from whence it will be "very natural to conclude, that the preserving "them both firmly united together, is the likeliest "way for your Majesty to reign over your sub-"jects." And, "the Religion, by law established, "is such a vital part of the Government, so tho-"roughly woven and intermixed into every branch "of it, that generally men look upon it as a good "part of it too; since that, and the government "of the Church, is secured to them by the same "provisions; so that it seems, that, next to treason "against your sacred Person, an invasion upon "the Church ought to be watched and prevented "by those who have the honor to be intrusted in "the public administration, with the strictest care "and diligence, as the best way to preserve your "Majesty's Person and Government, in their just "dignity and authority *."

"That William III. though perhaps naturally "prepossessed in favor of the Presbyterian church, "was sensible of the congruity of the Ecclesiastical "to the Civil Constitution of England, is evident "from the beginning of his Message to the Con-"vocation assembled in 1689:—His Majesty has "summoned this Convocation, not only because it "is usual upon holding a Parliament, but out of "a pious zeal to do every thing that may tend to "the best Establishment of the Church of Eng-

* Preface to Clarendon's History of the Rebellion.

" land, which is so eminent a part of the Refor-
" mation, and is certainly best suited to the con-
" stitution of this Government *."

" The people of England do not consider their
" Church establishment as convenient, but as es-
" sential to the State; not as a thing heterogeneous
" and separable, but as the foundation of their
" whole constitution, with which and with every
" part of which, it holds an indissoluble union †."

" Our Church and State form but one system:
" whatever hurts the Church, hurts the State;
" whatever weakens the credit of the governors of
" the Church, takes away from the civil power a
" part of its strength, and shakes the whole con-
" stitution ‡."

Indeed, the civil and ecclesiastical interests of this kingdom are so closely united, and such is the alliance between Church and State, that they must stand or fall together: what is the prosperity and life of the one, must be the prosperity and life of the other; and what is the decay and death of the one, must be the decay and death of the other.

It is at all times necessary to give men just notions of their civil, moral and religious duty; but it is more particularly indispensable, whenever attempts shall be made (by misleading their understandings and interesting their passions,) to turn them aside from the paths of Religion, Virtue and

* Bishop Woodward's Present State of the Church of Ireland, 1807, p. 9.

† Burke's Reflections on the Revolution in France, p. 147.

‡ Lord Lyttleton's Speech on the Jew Bill, in 1753.

Happiness, into the labyrinths of Error, Perplexity and Misery. At such times, the defence and support of Religion, and of the true interests of Society, become the common cause of all; but it is more especially incumbent on the Clergy to vindicate the doctrines of our Holy Religion, and the excellence of our Established National Church.

To this they are most solemnly bound, by their professional engagements; and should they not stand forth in the defence and justification of them, if they do not in time oppose a torrent, which may make head against and overwhelm both Church and State, it may be in vain to attempt it, when the public mind shall have become, by degrees, too far alienated from them. And, if they patiently suffer their Faith to be denied, their Profession to be vilified, and their Rights to be disputed, they will most deservedly bring upon themselves the disesteem, if not the contempt, of the public. Men of little reflection, perhaps, even those of considerable information, will be tempted to think, that the Clergy do not endeavour to do justice to the cause they have undertaken, as well as justice to themselves, because they have no sufficient ground of defence; or, having neither the ability, spirit, nor inclination to exert themselves, to look upon them as unworthy of the National Regard.

" There have been men in former ages, and " there are not a few in our own, who think and " speak of the Clergy, as destitute of either under- " standing or honesty; who represent them as " interested in the support of a Superstition; and

" ready, at all times, to sacrifice their Probity as " men, on the altar of professional Hypocrisy; " who stigmatize them as the protectors of Igno- " rance, and the persecutors of Science. A Phi- " losopher, says Helvetius, has for his enemies, " the Bonzees, the Dervises, the Bramins, the " Ministers of every Religion in the world. Let " us forgive these Philosophers, whether foreign " or domestic, this wrong; but let us, at the same " time, beg them to consider, that we, as well as " they, are subjects of a free State, in which the " road to wealth and distinction is open to every " man of ability; and more open, perhaps, to men " of ability in other professions, than in that of the " Church; that we, as well as they, enjoy talents " from the gift of God, and have been as sedulous " as themselves, (speaking without arrogance) in " the improvement of them. Are they mathema- " ticians, natural philosophers, metaphysicians, " logicians, classical scholars? so are we. I speak " not of individuals, much less of myself, but of " the great body of the British Clergy. There is " not a single branch of knowledge, in which the " Clergy are not equal, at least, to those who in- " juriously impute to them the grossness of Ig- " norance in believing an imposture, or the more " degrading and flagitious Infamy of supporting " what they do not believe *."

It is, therefore, more especially incumbent on the Clergy, to draw forth their stores of argumentative

* Bishop Watson's Charge, 1795.

and legal knowledge, whenever the Doctrines and Establishment of the national Church shall be, either openly or secretly, impugned; by those, who would annihilate both of them, together with the Civil Constitution of the kingdom; by others, who would abolish the Ecclesiastical, but retain the Civil Establishment, with some of their sophisticated improvements; by others, who are averse to the Hierarchy, but approve of its doctrines; and by others, who wish well to the Civil and Ecclesiastical Establishments, though they object to some particular parts in each. Nor ever let the Clergy be lulled into a state of inattention, or deluded into a passive and criminal acquiescence, by the plausible and alluring professions even of those, who, (though they propose alterations in Church and State, the commutation or abolition of Tithes, or the melioration of the Civil and Ecclesiastical forms of Government,) pretend to be still sincerely desirous, that the Constitution of both should be preserved, and that the Crown and Religion should continue to receive such dignified and ample support, as should ensure all requisite power, influence and respect.

The Spirit of Faction and Sedition in the State, which had so widely and alarmingly diffused itself through the land a few years ago, if not passed away, is indeed become now happily inactive, upon conviction of its dreadful consequences. But the spirit of Heresy and Schism in the Church still remains. And, as the most expansive liberality of Sentiment, perhaps, Indifference, in religious Con-

cerns, is still too prevalent, and as there are, in this boasted age of superior Illumination, still those, who deny the wisdom and necessity of all religious Establishments, and even question the Lawfulness of all Forms of Civil Government, it is necessary to revert to the discussion of such subjects. However unpopular it may be esteemed, it cannot, in the judgment of wise and reflecting people, be regarded as injudicious, ill-timed, or indefensible.

The welfare and happiness of the Nation are too intimately connected with the stability of our Constitution; and they most forcibly call upon every good man and sincere Christian, every loyal subject and true friend to his country, whether of the Clergy or Laity, to uphold that Constitution, to expose the practices of the artful and dangerous, to resist the deep-laid designs of the hostile, and to illustrate the beauty, propriety, and advantages of our Polity in Church and State; under which we have enjoyed, and continue to enjoy, every solid and substantial blessing, which can be derived to man in a state of Civil Society.

But the following Essay will be confined to these points only, namely, to shew,

I. That the Clergy of the Church of England have a Natural, Precedented and Legal Right to the Revenues with which they are endowed.

II. That, though these Revenues may collectively appear large, they afford a very moderate Competency to the many Thousands whose Subsistence depends upon them.

III. That these Revenues, particularly the Part

of them arising from Tithes, are neither burthensome to the Individual, nor injurious to the Public. And,

IV. That an Abolition or Commutation of Tithes is not defensible on the Principles of Necessity, Justice, or Policy.

CHAPTER THE SECOND.

ON THE NATURAL RIGHT OF THE ESTABLISHED CLERGY TO THEIR REVENUES.

"THAT the Clergy of the Church of England "have a Natural, Precedented, and Legal Right "to the Revenues with which they are endowed," will more particularly and clearly appear, from the concurrent Opinion and Practice of the Ancients, from the Polity of the Jews instituted by God himself, and from the Positive Laws of this Kingdom.

It is evident from the testimony of ancient history, that, in every nation, the existence of some superior and superintending Power hath been always acknowleged; that, as a necessary consequence of this acknowlegement, it hath been judged, as constantly, expedient to pay that Power some kind of worship or adoration; that, in order to effect this object, certain persons, under different names in different nations, have been set apart to inspect and celebrate the peculiar worship of every state; that these persons, so appointed, have been always particularly taken care of by the state in which they lived, having been dignified by divers titles and privileges, and maintained at the public expense, or by revenues expressly appropriated to

that purpose; and that the political and religious systems of every state have been, at all times, intimately connected with, and mutually supported by, each other.

These are truths, which cannot fail of forcibly arresting the attention of every one, who is in the least conversant with the profane* historians of antiquity. The numerous passages, in illustration and confirmation of them, with which those writers abound, would, if collected together, form a very large and copious volume; and they would deeply impress the reader's mind, with the idea of a God, the necessity of worshipping him, and the rational and strict obligation of every state, to honor and support their Established Religion and its Ministers.

But, not to digress from the chief design of this Inquiry, it will be necessary to mention those passages only, which relate more immediately to the practice of the ancients, in appropriating a portion of their substance to the honor of their Gods, and thereby supporting the Religious Establishment of their country.

That the Phenicians, a very ancient nation, were accustomed to pay tithes, (though in what proportion does not appear,) may be fairly deduced

* The sacred historian's authority is here designedly omitted; as the application of the particulars recorded by him, in relation to the subject in discussion, before the promulgation of the Mosaic law, will more properly precede the consideration of "The Polity of the Jews, instituted by God "himself," and will answer the purpose of a preface, or introduction to it, and to the subsequent practice of the christian world.

from the practice of the Carthaginians, a Phenician colony. Justin tells us, that "They were accustomed to send their tithes or offerings to Tyre, "by one commissioned for that very purpose, and "cloathed in costly and sacred attire:" And Diodorus Siculus adds, that "At a certain time, when "being greatly distressed in war, and apprehensive of having incurred the anger of a Phenician "God, by their neglect, during their great temporal prosperity, to transmit to him the usual "tithe of all their gains, being humbled by their "misfortunes, and brought to repentance, they "sent it accordingly." The custom of paying tithes, amongst the Arabian and Ethiopian nations, may be deduced from an injunction in their laws, that "No frankincense or cinnamon should be "sold or bought, till the tithes of them should have "been duly paid to the Priests of their respective "Gods." And, that the Payment of Tithes prevailed amongst a most ancient and still existing People, the Hindoos, appears in the History of Mahali; who is said "to have insulted Heaven by "not offering the usual Tithe to the Ministers of "the Sovereign Deity, who bestows all things *."

Though Herodotus seems disinclined to speak fully of the religious rites and institutions of the Egyptians, he nevertheless tells us, that "The "Egyptian priesthood was very honorably distinguished, and possessed of many and great advantages; and he particularly mentions, that they

* Maurice's History of Hindostan, 1798, vol. ii, p. 83.

"were not obliged to consume any part of their "domestic property, being furnished daily with a "moiety of the sacred viands ready dressed, and "with a large and daily allowance of other food "and wine; and that they were endowed with "a landed property, free from all taxes:" which circumstance of the Egyptian priesthood being endowed with a landed property, is confirmed by a passage in holy scripture*; in which, speaking of the consequences of the famine in the land of Egypt, it is said of Joseph, "Only the land of the "Priests bought he not: for the Priests had a "portion assigned them of Pharaoh, and did eat "their portion which Pharaoh gave them; where-"fore they sold not their lands."

The Greeks are the most ancient people, of whom we have any particular or satisfactory information. They were the most learned and polished nation of the times in which they flourished, and gradually spread their customs and manners over a very great part of Asia; and, therefore, we may conclude, that, in giving a view of their religious usages, we give a view also of those of the contemporary and contiguous Asiatics.

The Greeks are usually allowed to have followed the more ancient nations, especially the Egyptians, in many of their rites and customs in matters of religion. Amongst others, most probably, that of consecrating to the Gods a portion of all spoils taken in war; with which custom, they might have

* Gen. xlvii. 22.

found connected, or to which they might have added from their own natural suggestions, the practice of appropriating to religious purposes, a portion of divers parts at first, and, in process of time, of all their substance.

In general and comprehensive terms, one author says, that "They (the Greeks) paid the tithe of "spoils taken in war;" A second, that "It was a "custom to pay the tithe of their gains;" And a third, more expressly, that "They sent to Delos "annually the tithe of corn, under the name of "first-fruits, and in the proportion of a tenth "part:" which may be said to have been observed, in conformity to that most ancient law of Triptolemus, "To honor the Gods with their fruits;" and which law was afterwards renewed by Draco, and, in a decree never to be repealed, explained to consist, "In worshipping the Gods every year, "according to men's estates, with first-fruits, and "offerings of wine."

The Athenians accounted for the tithe of property, even when it was confiscated to the public treasury, as well as of their own goods or private property. And it may be reasonably supposed, that it was usual to pay the tithe of mines, from reading, that the failure of the mines of a certain people, who had neglected to pay the tithe of them to the Gods, according to their former custom, was attributed to the divine displeasure. And, further, it is most probable, that a portion of the profits, acquired by trade and commerce, was appropriated to the honor of the Gods; as we are

expressly informed, that the merchants of a particular city, consecrated a tithe, or portion of their gains. Moreover, a very remarkable instance occurs of a temple, with an altar, being erected out of the produce of some spoils taken in war; and of its being endowed with land adjoining to it, and with the tithe, or due portion, of the cattle, fed in the sacred pastures, or taken in hunting.

It would be very easy to draw together a multiplicity of passages, in further confirmation of the practice of the Grecian and Asiatic states, in respect to the honoring of their Gods with a certain defined portion, of all public, and, generally speaking, of all private property; the constant observance of which, was in perfect agreement with their opinion, as they esteemed it a most peculiar and obligatory act of Religion. And the influence of the opinion was so great and prevalent, that the plundering of a rich and flourishing city was prevented, under the idea of the sacredness of the portion due to the Gods; which it would have been impossible to have ascertained, if the city had been given up to the pillage of the victorious soldiers. And, as an additional proof of its being regarded in the light of an essential and religious duty, may be adduced the information of an ancient writer, who tells us of the utter destruction of a very irreligious people, in an early age of the world, on account of their having paid no first-fruits to the Gods; which, he particularly says, they ought to have done.

Lastly, it seems, that, amongst the Athenians,

the civil magistrate had the power of inflicting punishment for the non-payment of these portions, tenths or tithes. Most certainly, the detention of them was looked upon as sacrilegious, and the detainer of them with the utmost abhorrence; insomuch, that, when the Greeks would describe a very wicked man, they called him by an expressive proverbial phrase, signifying, that he ate of such things, as had not been sanctified or rendered holy, by first consecrating a part of them to the Gods.

The Romans follow, as the next most celebrated nation of antiquity. And, concerning their opinion and practice of paying tithes, we have the most express testimony, that "They offered to "their Gods all sorts of tithes, or tithes of all sorts "of things." This general assertion might be more particularly illustrated and confirmed, by a detail of the numerous passages in point, from the writers on Roman affairs; but it would be too tedious to collect, and to dwell upon them. For it is undeniably clear, that the Romans paid the tithes of all spoils taken in war, and annually of the profits of their estates and merchandize; that, whether high or low, rich or poor, they observed the practice, as a necessary duty of religion: and that, from certain expressions most commonly accompanying the mention of such events, they were led to that practice, by the examples and customs of their ancestors.

It is true, that, amongst both Greeks and Romans, the instances of consecrating to the Gods an holy portion, are more frequent in relation to spoils taken

in war, than to other kinds of property. But this may be accounted for, by recollecting, that, as in the earlier ages of the world, mankind seem to have lived in an almost continued state of warfare, therefore, all events and leading traits of the wars in which they were engaged, or which were connected with them, are brought forward and appear, as the most prominent features in ancient history. So that it is just and necessary to remark here, that, notwithstanding the instances of paying tithes of spoils taken in war, rather than of other things, oftener occur in the histories of the Greeks, Romans, and other nations of antiquity, yet there are nevertheless a very great number of passages, which are expressly declaratory of the payment of tithes, out of almost every thing the ancients possessed, whether in peace or war; and that, from the clearest and most positive information, the tenth was the accustomed part, to be paid out of either public or private property.

These tithes or sacred portions, either out of spoils taken in war, or out of all other public or private property, were usually consecrated, according to national custom or personal inclination, to the service of any God or Goddess in particular, or to all the Gods in general: though, indeed, amongst the Grecian and Asiatic nations, Apollo was so greatly favored in this respect, that he was emphatically stiled, the Tithe-taker, or Receiver, or Crowned with Tithes; and, amongst the Romans, Hercules was so highly esteemed above all their numerous host of Gods, that Hercules' portion was

used to signify, and was synonymous with, the tenth part, in civil as well as religious concerns.

Such was the opinion of the ancients concerning the payment of Tithes, and such the practice which they grounded upon it; as appears from the history of those nations of antiquity, of whom we have any particular account. And, no doubt, had we equal information respecting all the kingdoms of former days, we should find the same opinion and practice to have universally prevailed.

As the origin of them hath never been satisfactorily discovered, it hath been usually inferred, that they took their rise from the light of reason and nature: that what was at first, possibly, merely local and optional, in process of time, became a general custom, and the observance of it most scrupulously regarded; so as to cause all those who neglected it, to be esteemed as profane, irreligious, and the worst of men: that it is most probable, that a practice, which might have been originally founded in, and agreeable to right reason, was at length sanctioned by civil authority: and that, thenceforth, the ancients regularly consecrated to the Gods, a portion of all spoils taken in war, and annually of corn, wine, and other fruits of the earth; and, as it seems, of all profits derived from mines, trade, and commerce, if not of all public and private property whatever *.

* To avoid the parade of learning, and to render this part of the Essay plain and intelligible to the most common understandings, a very concise and general view only of the opinions and practice of the ancients hath been given above; and, not

If, then, in the days of Gentile superstition, the light of reason and nature could lead men to honor their Gods with a portion of their substance, which was expended in the celebration of their National Religious Worship, and in the maintenance of the Priests employed therein, surely, all Christian states are equally bound, by the same dictates, to appropriate a part of their substance, to the honor and service of the God of their adoration, and to the support of the Ministers attendent on his worship.

The dignity of human nature, and the superiority of the light of reason, are, amongst all others, the most prevailing topics of modern conversation; the former is extolled and magnified, as being little lower than that of angels; and the latter is compared, and almost equalled to, the voice of inspiration! Now, as we cannot suppose, that three, four, or five thousand years ago, there was any inferiority in the innate dignity and strength of the human powers, but that reason and nature have

to distract the attention of the reader, by continually referring to the passages introduced, the references have been all omitted in their proper places, together with the controversies in relation to some of the quotations. Those, who are more curious and inquisitive, may satisfy themselves in both particulars, by having recourse to the several Treatises on Tithes, by Scaliger, Selden, Tillesly, Carleton, Mountagu, Comber, Leslie, and Prideaux, and to Spencer de Legibus Hebræorum: these writers have fully enlarged on the payment of Tithes, under the Gentile superstition, the Mosaic law, and the Christian dispensation; and of their writings, a free use has been made throughout the present chapter.

been equally powerful and impressive in every age, we must allow the gentiles or ancients to have been guided by just principles, in setting apart a portion of their substance, for the support of their National Religious Establishments. Whence it follows, that, if the light of reason and nature directed them into the true path of moral, civil, and religious rectitude, in supporting and maintaining their National Religion and its Ministers, the Clergy of the Church of England have, by parity of reasoning and situation, a claim to a provision; and, consequently, "A Natural Right to the "Revenues with which they are endowed."

CHAPTER THE THIRD.

ON THE PRECEDENTED RIGHT OF THE ESTABLISHED CLERGY TO THEIR REVENUES.

THAT the Clergy of the Church of England, have a Precedented Right to the Revenues with which they are endowed, will appear, "From the "Polity of the Jews instituted by God himself." But, as a preface or introduction to the consideration of it, a concise view will be necessary of the chief passages in the sacred writings, which refer to the Patriarchs' honoring God and his Ministers, by the appropriation of a part of their substance to the purposes of religion.

The sacrifices of Cain and Abel, present us with the first instances of consecrating to God a portion of the fruits of the earth, as well as of animals; and, to the performance of this act of public worship, we may justly presume they were led, if not by some declaration of God's will, at least, by the light of nature: the warmth and grateful feelings of their hearts, and their sense of moral rectitude, suggested to them the propriety and obligation of offering unto God, a portion of the good things with which his bounty alone had blessed them. And though the history of Cain and Abel does not expressly mention

the proportion which they gave unto God, yet it hath been strongly insisted on, by numerous Jewish and Christian commentators on the passage, that it was a determinate and very considerable portion; and that the rejection of Cain's sacrifice proceeded from his having, through covetousness or infidelity, not offered the best in its kind, or the due proportion of his increase.

In the history of Abraham, who was peculiarly favored by God, we are informed of his honoring him, in the person of Melchizedec, (who was a Priest as well as a King), with a portion of spoils taken in war, and, according to many celebrated writers, of all his substance also. This Melchizedec, to whom Abraham paid Tithes, is called in the Old Testament, the Priest of the Most High God; and is described in the New, as the express type of Christ and his Priesthood: which Priesthood, as far as relates to the praising God and praying unto him for his people, being devolved by Christ in these words ("as my Father hath sent me, even so send "I you *,") upon his Apostles, and by them upon the Christian Priesthood, it is reasonable to infer, that, as the Melchizedecal Priesthood was typical of Christ's, and that established by him, therefore, the Christian Priesthood or Ministry is entitled to the rights, enjoyed by the Patriarchal or Melchizedecal Priesthood.

From Jacob's vow, may be collected the most positive and explicit determination of the portion

* John xx. 21.

to be given unto God, that it should be a Tenth of all, with which God should bless him: and, though it does not in fact appear, that Jacob ever fulfilled this vow of paying Tithes, or tenths of all his substance, yet a firm persuasion of his performing it, may be grounded on the generally allowed pious and good character of the Patriarch *.

And, in addition to these instances from Holy Scripture, of particular Patriarchs having honored God and his Ministers, by the appropriation of a part of their substance to religious uses, might be subjoined the testimony of the various Jewish writers on the Pentateuch; who unanimously affirm, that, from tradition, all the Patriarchs liberally gave Tithes to the Lord.

Since, then, it appears from the opinions and practice of the Gentile world, as recorded in profane history, and of the Patriarchs, as recorded in Scripture and supported by the traditionary testimony of the Jews, that there was an universal custom of appropriating a part of every man's substance to the honor of the Divine Being, for the support of Religion and its attendent Ministers; and that the portion, usually consecrated to these purposes, was the Tenth Part, in general, of all property, though sometimes confined to certain species only; it may be asked, Whence did this religious custom itself, and the peculiar observance

* Patrick on Gen. iv. 3. and Gen. xxviii. 20. Also Comber, Leslie, and Prideaux, on Tithes; by whom the preceding passages in Sacred History are more fully illustrated.

of it, by the appropriation of a Tenth part in preference to all other proportions originate?

If it be allowed, that, from the light of reason and nature, men might have been induced to honor the Divine Being with a part of their substance, as a grateful acknowlegement that all proceeded from him, yet still the greatest difficulty remains to be accounted for. Whence did it come to pass, that men, so universally, consecrated a Tenth part? A question, which hath always perplexed, and eventually foiled, every attempt to answer it. Indeed, both points of inquiry are too deeply involved in difficulty and obscurity, to be fathomed by the line of human understanding: both customs have been found established amongst so many nations, of different manners and different religions, and in parts of the world absolutely preventing the possibility of any intercourse with each other, that the consonance of all nations, in the observance of them, could not have arisen from the tendency of human nature to imitation. And, even supposing, that such an universal agreement did proceed from the adoption of each other's customs, and that there hath been, at all times, a communication between the various nations of the world; yet, Where was the practice, with the peculiar mode of observing it, first established, and, From what source did they first originate?

Thus, do we return again to the original difficulty; and to the solution of which, the strength of human reason is unequal. Nor does there remain any other method of solving it, but by assigning

the origin of the custom, and the peculiar observance of it, to some unrecorded revelation made to Adam, and by him and his descendents delivered down to posterity. And it is clear, that revelations of God's will were made to the Patriarchs; which, though not recorded, are occasionally referred to, in Scripture.

This is not only a most rational, but the most probable solution; and it is also supported by certain passages in the holy writings, previous to, and at the giving of, the Mosaic law; which passages suppose and imply the custom of paying Tithes, as having been long, and (it is presumable) divinely established. And it is worthy of observation, that, in all the various ordinances of the Mosaic law concerning Tithes, the injunctions are much more frequently directed to the manner of paying them, than to the ordaining the payment of them; and therefore it amounts to a presumptive proof, that the payment of Tithes was not, at the promulgation of the law, then first enjoined, but, after having been more particularly defined and enlarged, was adopted into the judicial part of the Jewish polity.

But whatever might have been the source of the custom of paying Tithes amongst the Patriarchs, whether proceeding from the light of reason or nature, or from divine revelation, it is certain, that the law of Moses ordained the payment of Tithes in the most explicit terms, and appropriated the produce of them to the worship of God, and, chiefly, to the maintenance of the Jewish priesthood. However, as Tithes were not the only

provision, with which the Jewish priesthood was endowed by the express command of God, it will be necessary, in order to form a more adequate idea of the very considerable amount of their whole annual income, to enter into a particular enumeration of the several branches whereof it consisted.

From the Mosaic Ordinances, and the Illustrations of them by the Jewish Commentators, who must be allowed to be the best interpreters of their own religious rites and customs, it appears, that the Jews offered, annually,

1. Biccurim, or First-Fruits; in the proportion of an hundreth part, out of seven kinds of increase, namely, wheat, barley, figs, grapes, pomegranates, dates, and olives, though some Rabbis say, that First-Fruits of all kinds were due. Deut. xxvi. 2.
2. Therumah, Trumoth, or Truma, or the Heave-Offering; out of the same products of the earth, in the proportion of a fortieth, fiftieth, or sixtieth part. Deut. xviii. 4.
3. They left a portion unreaped in each corn-field, called the Unreaped Corner; and they were forbidden to beat down the whole growth of their olive-yards and vine-yards: which gleanings of corn and fruits were estimated at a fortieth or sixtieth part. Levit. xix. 9, 10. Deut. xxiv. 19, 20, 21.
4. They then deducted a tenth part, for the Levites' Tithe. Levit. xxvii. 30. Numb. xviii. 21.

5. Afterwards, out of the remainder, they deducted a tenth part, for the Tithe for Feasts. Deut. xiv. 23.
6. And, every third year, they also deducted, out of the remainder (from all the preceding payments or outgoings) a tenth part, for the Poor Man's Tithe. Deut. xiv. 28.

It hath been suggested, that these fifth and sixth deductions, or second and third Tithes, as they are called, were one and the same; being appropriated to the solemnization of the holy feasts in the first and second year, and to the use of the poor in the third year. But Comber appears to have proved most satisfactorily, that they were wholly distinct from each other.

All these payments, or Tithes, were made out of the produce of the Jewish harvests, and amounted, annually, to between a fourth and a fifth part of the whole crop, and, triennially, to between a third and a fourth part, as will be more particularly seen, from the following explanation, and the recapitulated statement of it.

Supposing an entire crop of wheat, barley, &c. to have been equal in Jewish measure to 10,000 ephahs, or, to adopt an English phrase, to 10,000 bushels, before any Tithes (properly so called) were to be paid out of it, there were to be deducted, 1st. Biccurim at one-hundredth part, or 100 bushels; 2dly. Truma at one-fiftieth part, or 200 bushels; 3dly. The Unreaped Corner, at one-sixtieth part, or 166 bushels; in all 466 bushels, thereby reducing the gross crop of 10,000 bushels,

to 9,534. 4thly. Out of these, was then to be deducted one-tenth part, or first Tithe for the Levites, at 953 bushels, leaving a remainder of 8,581 bushels; 5thly. From these was also to be taken one-tenth part, or second Tithe for Feasts, at 858 bushels, reducing the original entire crop to a nett produce of 7,723 bushels only; the various deductions having amounted to 2,277 bushels, or nearly to 23 bushels per cent. 6thly. To these payments was to be added every third year, another one-tenth part, for the Poor Man's Tithe, at 772 bushels, out of the before stated remainder. And thus was the Jewish husbandman's harvest reduced every third year to a nett produce of 6,951 bushels out of 10,000; the several deductions having amounted to 3,049 bushels, or rather more than 30 bushels per cent.

A gross crop, consisting of bushels		10,000
Deduct, for First-Fruits, at an hundreth part	100	
Deduct, for the Heave-Offering, at a fiftieth part	200	466
Deduct, for the Unreaped Corner, at a sixtieth part	166	
Remains to be tithed		9,534
Deduct, a tenth part, for the Levites' Tithe		953
		8,581
Deduct, a tenth part, for the Tithe for Feasts		858
Nett produce, every first and second year		7,723
Deduct, every third year, a tenth part, for the Poor Man's Tithe		772
Nett produce, every third year		6,951

Besides this large proportion of the gross produce of corn and fruits, the Jews were commanded to pay the Tithe of the Herd, and of the Flock; that is, of calves, lambs, and kids: and also, as appears from certain passages in the Old and New Testament, of every annual vegetable increase fit for the food of man *.

And, in addition to this very considerable revenue, arising from the produce of the earth and animals, the Jewish Priests and Levites were endowed with forty-eight cities, set apart solely for their residence, with a territory surrounding each of them, which was, collectively, equal to a thirtieth part of the whole land of Judea †.

Moreover, from their attendance on the altar, there accrued to the Jewish Priesthood the following emoluments also; which, in the course of the year, must have alone created a vast and ample revenue; namely,

1. The Flesh of the Sin Offerings, and of the Trespass Offerings. Levit. vi. 26. vii. 7.
2. The Peace Offerings of the Congregation. Levit. xxiii. 20.
3. The remainder of the Sheaf Offering, at the Passover. Levit. xxiii. 10, 11.
4. The remainder of every Meat Offering. Levit. vi. 16.
5. The Wave Breast and Heave Shoulder of the Peace Offerings. Levit. vii. 31, 34.

* Levit. xxvii. 30, 32. Numb. xxviii. 21. Deut. xxvi. 12. Matt. xxiii. 23. and Luke xi. 42.

† Numb. xxxv. 1—7. And Comber on Tithes, 1685, Part. II. page 10.

6. The Heave Offering of the Sacrifice of Thanksgiving. Levit. vii. 14.
7. The Wave Breast, and Heave Shoulder of the Nazarite's Ram. Numb. vi. 20.
8. The two Loaves offered at the Feast of Pentecost. Levit. xxiii. 17.
9. The Shew Bread, which was renewed every Sabbath. Levit. xxiv. 8, 9.
10. The Leper's Log of Oil. Levit. xiv. 10, &c.
11. The Cake, which every man offered annually of the first of his Dough. Numb. xv. 20.
12. The Skins of the Sacrifices offered in the Temple. Levit. vii. 8.
13. The Shoulder, two Cheeks, and Maw of every Beast killed for common use. Deut. xviii. 3.
14. The Redemptions of the First-born Sons of every Mother. Numb. xviii. 16.
15. The Firstlings of all clean Beasts. Numb. xviii. 18.
16. The Redemptions of the Firstlings of all unclean Beasts. Numb. xviii. 15.
17. The first of the Fleece of the Flock, at about a fiftieth part of the whole. Deut. xviii. 4.
18. The things devoted, or vowed to holy uses, where no particular service was mentioned. Numb. xviii. 14.; And, lastly,
19. The restitution of Things, stolen from the Stranger, or from the Proselyte, who had no representative. Numb. v. 8*.

* Patrick on these Texts; and Prideaux on Tithes, 1713, page 78—81.

Though it may seem impossible to compute, with any degree of accuracy, the annual amount of a revenue drawn from so many different sources, it was undoubtedly very large, and, most probably, far exceeding our ideas on the subject. However, from the preceding statements, it may be seen, that the Jews, in various deductions for pious and religious uses, paid, on the average of every three years, above a fourth part of the gross produce of their corn and fruits: and it being a fixed rule amongst them, not to pay their Tithes till ready for immediate use, therefore, the tithe of the corn was also threshed and cleaned, the tithe of the grapes was made into wine, and the tithe of the olives into oil*; and even when they were allowed to commute any of their Tithes into money, the Jews were obliged to add a fifth part to the value of them. And that the Jews in general abounded in numerous herds and flocks, and consequently that the Tithes of the annual increase of them were of very considerable value, may be reasonably inferred, from the pastoral state of the early ages of the world, from the vast number of cattle, sheep, and goats, continually used in sacrifices, and from the great extent of ground, (a thirtieth part of the whole country,) which was allotted to the forty-eight cities of the Priests and Levites, for the maintenance of the flocks and herds they were permitted to possess, though prohibited from having every other kind of property.

* Prideaux on Tithes, page 76.

These tithes of corn, fruits and cattle, with the Levites' lands, and the emoluments from the altar, have been judged (after all the necessary allowances for the Temple service, the holy feasts and the poor,) to have been, annually, equal in value, to a full fourth part of the whole vegetable produce of the land of Judea, and of the increase of its flocks and herds: all of which, by the express command of God, was solely appropriated to the maintenance of the Jewish Priesthood *.

And, notwithstanding the Jewish religious establishment was thus expensively great, and must have been felt, in particular, by the part of the nation employed in agriculture, yet we read not of any murmurs or complaints against it, either as being enormous and excessive in itself, or unnecessary for the purposes of its institution, or as being oppressive to the individual, or injurious to the community. On the contrary, the Jews considered the payment of tithes, as a sanctification of the remainder of their increase: they were accustomed to call their tithes, "The Hedge, or Protection of their Riches †;" and they were so scrupulously exact in the payment of them, that, in many instances, (through fear of not fulfilling

* "The Tribe of Levi being but the twelfth part of Israel, "had in effect as good as four-twelfth parts of all such goods "as the holy Land did yield: so that their worldly estate "was four times as good as any other Tribes in Israel be-"sides." Hooker's Ecclesiastical Polity, b. vii. sec. 23. And Prideaux on Tithes, p. 95.

† Selden on Tithes, 1618, p. 455.

its ordinances,) they actually paid a larger proportion, than the law enjoined.

It will possibly be here objected, that, in the Land of Promise, the Jews could very easily afford to pay such a proportion of tithes; because the greater part of them arose from the abundant, and almost spontaneous productions of the earth.

But it does not appear, that the land of Judea was more adapted to bring forth its fruits spontaneously, than the land in any other part of the world: and, therefore, the expressions of the scripture, in allusion to its fertility, must be understood in a limited sense, and import no more, than that, on a due cultivation, it should yield the most abundant increase, and that its produce should be so exceedingly plenteous, that the land should be, figuratively, like "a land flowing with milk and "honey;" which, in those days, being esteemed the most necessary and delicate parts of man's subsistence, are used to comprehend all good things: and granting that the land of Judea did yield its increase, with comparatively small labor, attention, or expense, yet, let it be recollected, that (as hath been shewn before,) the Jews paid for tithes, first-fruits, &c., in proportion to that increase; that is, not a tenth, but above a fourth part of the produce, and in a state fit for the immediate use of the Priests and Levites.

It may also be objected, that the Priests and Levites, being one tribe, were a twelfth part of the Jewish nation; and that, as tithes were allowed them, not merely for their service in the taberna-

cle, but in consideration likewise of their having no share or inheritance in the land, and of their being prohibited from following any profession, therefore, tenths or tithes of the whole landed and animal produce of Judea was only a decent and reasonable proportion, for the support and maintenance of themselves and families.

This objection is not well grounded, as the tribe of Levi was not a twelfth part of the Jewish people. In the latter end of David's reign, when the Jewish kingdom was at its highest point of splendor, prosperity and population, the whole number of the people, including the tribe of Levi, was probably about 7,080,000 souls*. And, in the beginning of Solomon's reign, the number of male Levites of the age of thirty years and upwards, is said to have been 38,000†; to which number, if we add almost an equal proportion for those, under the age of thirty years‡, the whole number of male Levites will have been about 76,000; and, by doubling that number for the proportion of females, it will be seen, that the whole tribe of Levi (omitting the odd thousands) consisted of 150,000 souls, and, consequently, was not a twelfth, but nearly a forty-seventh part only of the nation; and that, to support that proportion of the whole people, there was appropriated an income, (drawn from various sources) equal to a fourth part of the landed and animal produce of the kingdom.

* Prideaux on Tithes, p. 86. † 1 Chron. xxiii. 3.

‡ Chambers's Dictionary, under "Political Arithmetic."

Further, it may be objected, that though the payment of tithes was enjoined the Jews by the positive command of God, and was to be observed with the utmost exactness, yet, as the Jews are annihilated in their civil and ecclesiastical capacities as a nation, the obligation to observe the divine injunction hath of necessity ceased and been done away; and that the scattered remnant of the nation, since the destruction of the Temple and their dispersion, though they have Rabbis and Teachers of the Law, yet pay no tithes in obedience to the law, nor any thing in lieu of them, having no proper Levites to receive their offerings, nor altar whereupon to hallow them.

To this, it may be answered, that the Jews, notwithstanding their Temple service hath been wholly set aside, and they have continued a wandering and dispersed people for so many centuries, have yet never ceased to observe such part of their religious worship as hath been allowed them, or to contribute to the support of it, and the maintenance of the Priests, or the representatives of them, attendent thereon; that, if they have omitted the payment of tithes, that omission hath proceeded from their having no tithes to pay; because they have not, till of late years, and in a few nations only, been permitted to acquire any landed possessions; and that, so far from not paying any thing in lieu of tithes, it is expressly declared, that the more religious amongst the Jews, since the dissolution of their civil power and subsequent dis-

persion, pay, instead of tithes, a tenth part of their gains, as an alms *.

The Jewish Priesthood, as we have seen, was endowed, by the appointment of God himself, with a most ample revenue, by no means proportioned to the work or duty incumbent on them, on account of their holy office. For the whole service of both Priests and Levites was of little extent or duration: their attendence in the Temple being limited to two days alone in the year, (exclusive of the greater festivals,) according to the order of the courses into which they were divided †; and their business, during the intermediate time on their return to their residences in the country, being to collect the revenues of the Priesthood arising in the districts around them, and to remit such portions of those revenues, as were requisite, to Jerusalem ‡; and when these duties were discharged, as no part of the Synagogue worship, or of the instruction of the people §, was committed to their care, they were at full liberty to manage their own private concerns; or, if so disposed, to engage in any public employment, from which they were not debarred by their profession.

If, then, God in his great wisdom and goodness, thought fit to appropriate to the Jewish Priesthood, so large an income for so inconsiderable a service, surely, the Christian Priesthood, who are prohibited from following any secular occupation at all,

* Selden on Tithes, p. 455. † Prideaux on Tithes, p. 63.

‡ Comber on Tithes, part 1. p. 18.

§ Prideaux on Tithes, p. 66.

may with justice claim as great a revenue, if not a superior one, for the obvious reason of being better entitled to it; that is, from their comparative attendence on the duties of their profession, and from the more eminent qualifications necessary for their entrance into it.

The labor of the Jewish Priests and Levites, was exceedingly small and temporary: whilst that of the Christian Ministers is constant, and extended to fifty-two days in the year, or every seventh day, supposing them to be disengaged during the other six; which in towns, villages, and large country parishes, is by no means the case, on account of the very great variety of occasional duty, incident to such situations; besides, they have, at all times, the care of the morals of the people committed to their charge; and are also necessarily employed, at all leisure intervals, in preparing the discourses required of them in public, on every return of the sabbath day.

The qualifications, also, necessary for being admitted to the rights and privileges of a Jewish Priest or Levite, were merely natural; and, without any previous preparation or instruction, consisted simply in being legitimately descended from the true Sacerdotal line, of a certain age, and free from every bodily defect*: whilst the qualifications, necessary for entering into the Christian Priesthood, and for the due discharge of the duties annexed to it, are of far greater extent and conse-

* Prideaux on Tithes, p. 69.

quence; the Christian Ministers being called upon not only to pray and administer the holy sacraments, but to preach and catechise, to instruct the ignorant and admonish the unstable, to alarm the wicked and confirm the good, and to support and vindicate the truth of their religion against all adversaries and gainsayers; which several duties, undoubtedly, require great acquisitions of sacred and profane knowlege, and which can be gained only by a long course of study, and expensive education.

But, without entering into a further discussion of the respective merits or demerits of the Christian and Jewish Priesthoods, sufficient hath been already said, to establish the proposition stated; and to shew, that, though tithes are not demanded in the Christian church, by virtue of the divine command laid upon the Jews, yet, as a variety of arguments may be drawn from the Jewish polity, which apply with the greatest force to the elucidation and support of the claim of the Christian Ministry to tithes, as paid in Christian countries, consequently, the Clergy of the Church of England have, from the highest authority, (that of the Almighty Maker and Governor of the world,) "a "Precedented Right to the Revenues with which they are endowed."

CHAPTER THE FOURTH.

ON THE LEGAL RIGHT OF THE ESTABLISHED CLERGY TO THEIR REVENUES.

FROM the concurrent testimony of all past or present Governments, few, if any of them, appear to have attained to any great celebrity, or to have existed for any length of time, without the cultivation of Religion; and, most generally, of a National Established Religion. Whence it may be concluded, that the political existence and stability of every State, materially, if not absolutely depends, upon its having an established system of religious opinion and worship, though all others may be tolerated under certain restrictions: That the political continuance of every state, being thus connected with its religious establishment, it is both prudent, and necessary to the welfare of a state, to support its own Established Religion, in its places and modes of worship, and in the persons of its Ministers, by an appropriated Provision: That, as every state possesses in itself an inherent right and power to appoint the source and proportion of this provision, when this provision is once fixed and still continued by the laws of a state, every individual therein is bound to contribute towards it, not only from a principle of religion, but

from that of civil obedience: That this provision, appointed by a state for the support of its Established Religion, ought to be sufficiently ample, so as to afford a decent and becoming splendor to the places and modes of its public worship, and also to put the Ministers of its Religion in such a due state of independence, as shall reflect lustre and credit, both on the state and their holy profession, and thereby increase the use and influence of them; And, lastly, that this provision for the Ministers of a National Religion, in return for their renunciation of all other means of worldly support and maintenance, ought not to depend upon contingences or human caprice, but to be invariably fixed and permanent, and to be solely appropriated to the use and benefit of them, and of their successors, for ever.

That, the Clergy of the Church of England have, not only a Natural and Precedented, but also "a Legal Right to the Revenues with which "they are endowed," will appear from the positive laws of this kingdom: which have been enacted from time to time, for near a thousand years past, and have been explained and supported by repeated interpositions and decisions of the Courts of Justice.

And, "In the degenerate state of the world in "general, it may perhaps be more beneficial to the "Clergy of the Church of England to found their "title on the law of the land, than upon any di-"vine right whatever, unacknowleged and un-

" supported by temporal sanctions*." For, though a divine right to tithes might possibly have commenced, yet, as it might as possibly have ceased with the Jewish theocracy, and, therefore, the title of the Christian Priesthood to tithes (though surely in themselves of divine original †) cannot now be built on that foundation, yet, nevertheless, the Ministers of the Gospel have most undoubtedly a divine right to a competent maintenance, whatever the particular mode of that maintenance may be: since, beside the express precepts of the New Testament, natural reason will tell us, that, as hire to the labourer is of moral and perpetual right, " an order of men, who are separated " from the world, and excluded from other lucra-

* Blackstone's Commentaries, 1794, vol. ii. p. 25.

† Though a divine right to tithes, under the Gospel, is not here insisted on, yet it hath been most strenuously supported by a variety of learned and critical works in almost every age of christianity. Whence, it may be reasonably supposed, that there must be some cogency of argument, in favor of the doctrine; as we can scarcely imagine, that so many writers of character, who flourished in the earlier times of Christianity as well as in the darker ages, and who must have been the luminaries of the periods in which they lived, would have idly spent their hours in elucidating and proving a point, which was wholly indefensible. It would, indeed, be gratifying to curiosity, to ascertain and review their method of defending, and their arguments in support of the position, were it not a task under which the industry and attention of man must sink oppressed; since Tillesley, Archdeacon of Rochester, in the second edition of his " Animadversions on " Selden's History of Tithes," hath given a catalogue of seventy-two Authors, who, previous only to the year 1215, wrote in the defence of it.

" tive professions, for the sake of the rest of man-
" kind, have a right to be furnished with the ne-
" cessary conveniences and moderate enjoyments
" of life, at their expense, for whose benefit
" they forego the usual means of providing them.
" Accordingly, all municipal laws have provided
" a liberal and decent maintenance for their Priests
" or Clergy: and ours in particular have esta-
" blished that of tithes, probably in imitation of
" the Jewish law *."

But, previous to any inquiry into the right of the Established Clergy to tithes, as their peculiar support and maintenance, by the positive laws of this kingdom, it will be necessary to take a view of the evidence of the New Testament, which implies or enjoins a provision for the Christian Priesthood, and of the sources of that provision in the first ages of the Christian church.

There are many passages of the New Testa-

* Blackstone's Commentaries, vol. ii. p. 24.

" The labourer is worthy of his hire, according to the na-
" ture of that labor. That of the Clergy in the acquisition of
" their learning, and the employment of it, stands in the
" highest class of skilled labor: which, according to the prin-
" ciples laid down by Dr. Adam Smith, is entitled to very
" high payment. The labor of the Clergy is invidiously said
" to occupy but one day in the week. But a Clergyman is,
" in general, unable to apply his talents in any lucrative
" manner the other six; the apparent labor of one day must
" be repaid with due subsistence for seven. What he earns
" while he is visibly employed, must maintain him, while he
" is supposed to be idle, at least. This is a claim, which
" Dr. A. Smith makes in favor of Bricklayers." British Critic, vol. vii. p. 499.

ment, on which the Christian Ministry found their right to a provision, whereby they may live respectably; not merely as members of the ecclesiastical, but of the civil state also; and who have undoubtedly the same right to be maintained at the public expense, as the Magistrates and other Officers of a community *. And, exclusive of these, there are many others, which imply or illustrate the same right, and are sufficiently explanatory of the sentiments of our Lord, and of the Apostle of the Gentiles, the great illustrator and confirmer of his Master's precepts.

Our Saviour expressly declares, "The workman to be worthy of his meat," and, "The labourer of his hire:" which declarations he made, immediately on having commissioned the twelve Apostles first, and afterwards seventy others on another occasion, to go and prepare the way before him, by preaching the Gospel, and, in confirmation of what they said, by working signs and wonders, and healing all manner of sickness amongst the people. And Saint Paul refers † to these very precepts of our Lord, in ascertaining and proving his own right to live of the Gospel; that is, if he had been so disposed, to have refrained from working with his own hands for his support, and to have eaten the bread of his converts, and been chargeable unto them.

"*Am I not,*" saith he, "*an Apostle* as well as

* Matt. x. 10. Luke x. 7. 1 Corinth. ix. 1—14. Gal. vi. 6. 2 Thess. iii. 8, 9. 1 Tim. v. 17, 18.

† 1 Corinth. ix. 1—14.

" others? *Am I not free* to do what they may?
" *Have I not seen Jesus Christ our Lord,* as well
" as they? *And are not you my work in the*
" *Lord?* and so, if others have a power to live
" upon your temporal things, have not I rather?
" *If I be not* so visibly *an Apostle to others, yet*
" *doubtless I am* so *to you; for the seal,* or tes-
" timony, *of my Apostleship are you in the Lord,*
" as having been converted by me. *My answer,*
" therefore, *to them that do examine me,* why I
" and my companions use not the same free-
" dom as other Apostles, *is this. Have we not*
" *power, to eat, and to drink,* without using so
" much abstinence, or at the charge of the Church,
" as well as they? *Have we not power to lead*
" *about a sister, a wife, as well as other Apostles,*
" *and as the brethren of our Lord, and Cephas?*
" *or I only, and Barnabas, have we not power to*
" *forbear working,* and to receive maintenance
" of the Church, as others do? *Who goeth a war-*
" *fare, at any time, at his own charge? who*
" *planteth a vine-yard, and eateth not of the*
" *fruit thereof? or, who feedeth a flock, and eat-*
" *eth not of the milk of the flock?* And shall we,
" soldiers of Jesus Christ, the planters of his spi-
" ritual vine-yard, the pastors of his flock, be de-
" barred of this privilege? *Say I these things as*
" *a man,* that is, on principles of natural reason
" and equity, *or saith not the law the same also?*
" *For, it is written in the law of Moses, thou*
" *shalt not muzzle the mouth of the ox that*
" *treadeth out the corn: doth God* say this only

" to shew, *he taketh care for oxen; or saith he* " *it altogether, for our sakes? For our sakes,* " *no doubt, this is written, that,* in this spiritual " husbandry, *he that ploughs should plough in hope* " of reaping some advantage by it; *and* that *he* " *that thresheth in* that *hope, should be partaker* " *of his hope. If,* then, *we have sown unto you* " *spiritual things, is it a great thing if we shall* " *reap* some *of your carnal things? If others* " *be partakers of this power over you, are not* " *we rather* so, who have laid the foundation of a " Christian Church among you, and have begot- " ten you through the Gospel? *Nevertheless,* " *we have not used this power* among you, *but* " chose rather to *suffer* the want of *all things,* " *lest we should hinder the* advancement of the " *Gospel of Christ*: And, not to insist only on " mystical interpretations of the law, *Do you not* " *know, that they who minister about holy things,* " as the Levites do in the service of the Temple, " *live of the* holy *things of the Temple, and* that " *they which wait at the Altar are,* according to " the institution of the law, *partakers with the* " *Altar,* from which is left a considerable portion " to be eaten by the Priests? *Even so, hath the* " *Lord* Jesus in the Gospel *ordained, that they* " *who preach the Gospel, should live of the* " *Gospel**."

And, though, in the next verse, the Apostle proceeds, in vindication of his own integrity and

* Whitby's Paraphrase on 1 Corinth. ix. 1—14.

disinterestedness, to say, "*But I have used none* "*of these things, neither have I written these* "*things, that it should be so done unto me;*" and, though he says elsewhere, by way of exciting his converts to the practice of industry by his own example, "*Neither did we eat any man's bread* "*for nought, but wrought with labor and travel* "*night and day, that we might not become* "*chargeable unto any of you* *;" yet he takes care to add, in order to remove any doubts about it, and to vindicate his right to a maintenance, if he had chosen to have demanded it, "*Not because* "*we have not power:*" for, in conformity to the power with which he was invested, he gives this command, "*Let him that is taught in the word,* "*communicate unto him that teacheth in all good* "*things* †;" and directs, that "*The elders that* "*rule well, should be counted worthy of double* "*honor, especially those who labor in the word* "*and doctrine* ‡;" and again refers, as a reason, to the injunction of the Mosaic law, and to the precepts of our Saviour, "*For the scripture saith,* "*Thou shalt not muzzle the ox that treadeth out* "*the corn, and, The labourer is worthy of his* "*reward.*"

That, by the expression in the first passage, "*Communicate in all good things,*" is to be understood the willing and liberal gift of all things, which teachers stand in need of, and which they who are taught are (by God's blessing) able to

* 2 Theff. iii. 8. † Gal. vi. 6. ‡ 1 Tim. v. 17, 18.

bestow, is evident from the sense given to the same original words in other passages*: and, indeed, most interpreters refer to the same subject. "*Be "not deceived; God is not mocked: for what-"soever a man soweth, that shall he also reap*†;" that is, "Make no excuses in this case; God will "not be deceived by vain pretences; for, if you "will not give or sow the seed of your worldly "substance to the comfort and convenience of "your spiritual teachers, you can have no reason "to expect to gather of them (through God's as-"sisting grace) the harvest of divine knowlege." And, that by the expression in the second passage, "Double Honor," is to be understood a much more liberal maintenance, is so clear from the context, as to require no further proof or elucidation.

Lastly, St. Paul enjoins, that Bishops, and, by consequence, all inferior ranks in the Christian Ministry, should be "Given to hospitality‡," or the administering to the wants of the stranger and necessitous; whence it necessarily follows, that, as we cannot conceive the Apostle would unwarily have given a nugatory precept, and, as the Christian Ministry is virtually forbidden §, (and such hath been the general practice from the earliest times of Christianity,) to engage in the affairs and employments of the world, therefore, they must have been furnished with the means, above their own

* Luke xii. 19. Luke xvi. 25. Philipp. iv. 15. Rom. xii. 13. † Gal. vi. 7. ‡ 1 Tim. iii. 2. § 2 Tim. ii. 4,

maintenance, of discharging these duties of hospitality and charity: the means of which could have arisen from no other source, than that communication in all good things, with which their converts were commanded to supply them.

In fine, it must not pass unremarked, that, though St. Paul does not, by name, particularize tithes, as the support and maintenance of the Christian Ministry, through fear of offending the Jewish Priesthood, yet he closely insinuates their right to them *, whenever the Christian Church (we may presume) should become civilly established. And whoever will seriously consider, and candidly compare the several passages, before cited from the writings of the Apostle, will perhaps be inclined to think, that, had not the Apostle thought it expedient, for the welfare of the infant Church, to conceal his sentiments, and to refrain himself from asserting and exercising a right, (of which he was nevertheless convinced,) he would have more explicitly pointed out the mode of maintenance for the Christian Priesthood, and would undoubtedly have had recourse to the ancient one of tithes; which so universally prevailed in the Gentile world, and to which he had been accustomed, by divine appointment, under the Jewish theocracy.

Such was the language of Christ, and, such the injunctions of his Apostle, concerning the maintenance of the Christian Ministry: which could not fail of being well received by those, who

* Heb. vii. 1, &c.

had before their eyes the noble example of some of the first converts to Christianity; who, through an excess of zeal and liberality, even sold all their possessions, and laid the price of them at the Apostles' feet, no doubt, as much for the benefit of the Apostles themselves, as for the benefit of those who had been converted by them. Nor are we to suppose, that instances of zeal, in these matters, were a mere temporary effusion, displayed in Jerusalem only, or confined to the age of the Apostles; for they extended beyond the contracted limits of Judea, and prevailed in a greater or less degree, wherever Christianity gained a footing in the world.

Justin Martyr, who flourished about hundred and sixty years after Christ, says, in his Apology, "We bring all our possessions into the common "stock, and therefrom communicate to every one's "necessities:" of course, to the necessities of the Ministers of the Gospel, in common with, if not in preference to, all others. Irenæus, who lived about one hundred and eighty years after Christ, and who was the disciple of Polycarp, the contemporary and disciple also of Saint John, says likewise, that "The Christians consecrated all they "had to God's service, chearfully and freely, not "giving less than the Jews, because they had a "better hope." Further, Tertullian, about the two hundreth year of the Christian era, says, "Amongst the Christians, all things were common, except their wives." And, in proof of the continuance of the same community of property,

and of the appropriation of it to the purposes of religion, might be adduced the testimonies of Origen, Cyprian, Gregory Nazianzen, Epiphanius, Saint Chrysostom, Saint Ambrose, Saint Augustin, and Saint Jerom; who all flourished prior to the completion of the fourth century. However, it must be confessed, that the gradual failure of Christians, in imitating the zealous piety and liberal munificence of the early converts to Christianity, and in fulfilling the Apostolic injunctions, is very frequently complained of, by most of the latter of these Fathers; which failure (not only felt in their days, but still more so afterwards,) was, eventually, one of the operative causes of establishing the payment of tithes, first by ecclesiastical, and, in process of time, by civil authority.

The Christian annals do not furnish us with any instances of the actual payment of tithes, as such, in the first ages of Christianity, the zeal and liberality of Christians, as hath been shewn before, having obviated the necessity of so doing: moreover, the unsettled lives of the Apostles, and of their immediate successors, and the still more unsettled state of the Church, which, during nearly three centuries and an half, was harrassed by an almost uninterrupted persecution, rendered the payment of tithes impracticable: and there could have been no good cause to press the payment of a tenth, so long as men were voluntarily disposed to have given a much larger proportion. This last fact is allowed by the great champion of the Anti-tithists.

Selden says, "So liberal, in the beginning of

"Christianity, was the devotion of the believers, "that their bounty to the Evangelical Priesthood, "far exceeded what a tenth could have been*." "The liberality formerly used had been such, "that, in respect thereof, tenths were a small "part*." And, "It had been little to the pur-"pose, indeed, to have had tithes of annual increase "paid, whilst that most bountiful devotion of good "Christians continued in frequent offerings, both "of lands and goods, to such large value *."

However, though there occur no instances of the payment of tithes, by actual name, during the first ages of Christianity, yet there are sufficient grounds to infer from the writings of the earlier Fathers, that some species of payments of a very similar nature, (though not nominally, through cautious fear of giving greater offence, first, to the Jewish, and afterwards, to the Roman powers,) were made, at divers times to the Church, most probably, at the rate of a tenth in general, and perhaps oftentimes in a much greater proportion; and that the practice was in all likelihood observed, by the Jewish converts in conformity to their own law, and by the Gentile converts also in imitation of their own ancient established customs. Proofs of this might be collected from the works of Justin Martyr, Irenæus, Tertullian, Origen, Cyprian, &c. &c.; who all enlarge upon, and press the duty of offering first-fruits to God and the Church, in a manner, which pointedly insinuates and implies the practice of former

* Selden on Tithes, p. 36, 39, 462.

days: and proofs might be adduced to shew also, that, by first-fruits, they meant tithes, (though not as now paid,) from their having used the words, first-fruits and tithes, indifferently and as synonymous.

The Revenues of the Church, during its infancy, consisted in offerings which were purely voluntary; and in contributions due from the converts, as it were by right, or by virtue of the Apostolic command: the offerings were dedicated on the Altar, as often as they communicated; and the contributions or collections were made, according to rule, first weekly, and afterwards monthly, with others also occasionally, according to the necessities of the Church, or from the extraordinary zeal, devotion and charity of the well-disposed and beneficent. All these offerings and contributions were brought into the general treasury of the district or diocese; from which were issued, by the Bishop, or the proper officers appointed by him to that employment, the supplies necessary for the use of the Church, the maintenance of the Clergy of all degrees, the wants of the Poor, Distressed and Aged, and for every other pious and good work. And so large and plentiful were these Revenues, in the two first ages of the Church, that we have reason to believe, that they were fully adequate to all the good purposes, to which they were appropriated.

At length, however, the zeal and liberality, which animated the early converts to Christianity, and for a long time glowed in the breasts of succeeding generations, began to cool, and men gradually became less and less disposed to communicate in all good

things. So that the Clergy, even in the third, and much more frequently in the fourth century, were necessitated to remind their flocks of a duty, so incumbent on them, and so indispensibly requisite to the welfare of the Church: on which account it is, that we find the works of ecclesiastical writers in those times, so full of exhortations and discourses on the subject of offerings or tithes; and not, as hath been invidiously and unjustifiably remarked, as if the whole material duty of a Christian consisted, in the exact or abundant payment of first-fruits, tithes and offerings.

And, notwithstanding, as early as the end of the second century, the Church seems to have been in possession of some landed property, and, afterwards, when Christianity became civilly established by Constantine the Great, was empowered in peace and safety to receive, (and most certainly did to a large amount,) legacies and endowments in land, in aid of the offerings and collections heretofore made and still continued, yet the state of the ecclesiastical revenues was very precarious and unsettled, some bestowing too little, and others nothing at all. Wherefore the Fathers of those days, in conjunction with the Rulers and Elders of the Church, found themselves under the necessity of inquiring into the opinions and practice of former times; and having ascertained what had been taught by their predecessors, particularly Irenæus and Origen, they determined and ordained, that every man should annually give or offer, in the proportion of a tenth part of his income: which portion, being in fact, less than

the primitive, and what all good Christians had already thought themselves bound to appropriate, and no more than what they who were then converted from Judaism or Gentilism had been accustomed to pay, the ordinance of these Fathers and Rulers of the Church was, therefore, the more readily admitted into practice, and received by the members of the Church, as of necessary, conscientious and positive obligation.

And that, in and by these offerings, were meant tithes of annual increase, or of the produce of the earth, there cannot be a shadow of doubt, from the manner and expressions of the Fathers, in pressing and enforcing the payment of them. But, however, we must not extend their meaning, to tithes in a modern sense; but, that every man's offerings which he should bring to the Church in the course of the year, should be at least equal, in value, to a tenth part of his annual increase. Agreeably hereto Cyprian says, that the Clergy received their appointed stipends or portions, out of these offerings, "in lieu of the tithes of fruits." And it is acknowledged by even Selden, that "before the end of the fourth century, it became the "usual phrase to offer tithes, because they were "paid in the offerings of the faithful; who thought "themselves obliged, in making these offerings, "to give every year unto the Churches, of which "they were members, tithes or greater parts of "their annual increase, for the support of God's "worship in them *."

* Prideaux on Tithes, p. 147.

This was the state of the ecclesiastical revenues, about the beginning of the fifth century. And, notwithstanding the Church was not invested with the power of compelling the payment of tithes, under the foregoing notion of offerings, yet it is probable, that a sense of duty, and the force of received opinion would, in all times of public tranquillity, have effectually secured the observance of it. It is true, that, at and before this period, we read of various canons made in synods and councils, in respect (amongst other important matters) to tithes, all tending to prove and enforce the obligation to account for them, and specifying the mode in which it should be done. It is not less true also, that the authority of some of these councils may be denied, doubts having been entertained concerning the actual holding of them, and still greater doubts concerning the acts, which have been ascribed to them as genuine, and pass under that denomination: which suspicions, though they may apply to some, yet cannot impeach the credit of all, as there are several councils of undoubted existence, and several of their acts of undeniable authenticity.

It may, therefore, be supposed, with all apparent truth, that these explanatory or supplementary ordinances of the councils and synods concerning tithes, originated in necessity. And, if we consider the state of the Roman empire, which, from the incursions of the barbarous nations, must have in these times begun to have exhibited a scene of violence, confusion, and distress, it cannot be ex-

pected, that the Church should have escaped misfortunes; but that it must have suffered, in the propagation of its faith, in the steady practice of its duties, and in the uniform observance of its commands; and, with these evil consequences, though endowed with landed property, must have experienced a very considerable diminution in its revenue.

During the continuance of the convulsions, which so incessantly agitated, and finally subverted, the Roman empire, and whilst the kingdoms, erected on its ruins, were gradually subsiding into order and civilization, the Church also must have continued to suffer; the ferocious temper of the times being ill suited to the mild and orderly principles of the Gospel, and, in a manner, averse to the support of a religion so greatly disregarded. Councils were, therefore, more frequently holden, in order to consult upon and adopt such measures, as were most likely to revive the spirit and influence of Christianity, to restore the ancient discipline of the Church, and to enforce a more exact and regular payment of ecclesiastical dues. And these councils, summoned by ecclesiastical authority, sometimes with and sometimes without the permission of the civil power, met, as often as occasion required, in France, Spain, Britain, Germany, and Italy, down to the beginning of the ninth century; at which time Charles the Great held the imperial crown, under the title of Emperor of the West.

He was equally able and politic in the cabinet, as in the field. And being sensible, that the subjects of his large and in part newly-acquired dominions, would not long remain in a just state of obedience to his government, without some stronger and more efficacious tie than the arm of power, he had recourse to the influence and assistance of religion; and, preparatory to the re-establishment of its importance and necessary obligation in the minds of his subjects, he began with an apparent act of justice in himself, (not by making restitution, indeed, of the landed property, of which the Church had been violently dispossessed by his father and grandfather,) but by endowing the Clergy with an ample and legal right to tithes, in all parts of his extensive dominions *. To this, he might also have been induced, by the wise and prudential motives of attaching the ecclesiastical to the civil authority; being fully apprized, that an union in Church and State was indispensibly requisite to all good, happy and lasting government; and that to make religion valued and respected, it must appear valu-

* It has been observed, that "the obligation to restore "whatever we have taken from the legal owner, belongs to "the morality of all times." Accordingly Charles the Great endowed the Church with Tithes, as a composition for relinquishing her claim to the Lands, which had been by violence taken from her: And, upon which transaction, Montesquieu remarks, that "the Laws of Charles the Great, on the Establishment of Tithes, were the work of necessity, in which "Religion alone co-operated, and Superstition bore no "part." Spirit of Laws, b. 31. c. 12.

able in itself, and respectable in all its necessary dependences.

Thus, Charles the Great gave the Clergy, not only a civil right to tithes, but, by consequence, invested them with a power, which they never possessed before, namely, the power of recovering those tithes by law, as often as they should be with-holden. Moreover, he commanded the Clergy to instruct the people, in what manner their tithes were to be paid; and, to satisfy and conciliate the minds of all parties interested in the payment and receipt of them, he further ordained, that the produce of them should be divided into four equal parts; for the Bishop, for the parochial and other Clergy, for the relief of the Poor, and for the repair and building of Churches. He finally took great care, that all these his Capitulars, as they are called, should be strictly observed throughout his dominions.

And it may be presumed, that the ordinances, contained in them, were well received, as they appear to have given no rise to complaints, but on the contrary, to have been adopted almost immediately in Spain, and soon after in Britain also: of whose particular opinion and practice, concerning the payment of tithes, and of whose laws in respect thereto, though enacted at a very early and probably not the most enlightened period, it may be observed, that they both come recommended to us, as co eval with the rudiments of our justly admired and boasted Constitution *.

* It is a singular circumstance, and well worthy of being

Though the precise time of the conversion of the British inhabitants of this island to the Christian faith, be not exactly ascertained, it most probably took place soon after the first travels of the Apostles to preach the Gospel. What might have been the state of the British Church to the middle of the fifth century, is a point of great uncertainty;

remarked in respect to the payment of tithes to the Ministers of Religion during the times of the British Church, that, if the Britons actually paid no tithes to their clergy, in any shape, which is a concession hardly if at all to be admitted, they paid a tax, or kind of tithe, out of the produce of their arable, meadow, and pasture lands to the Roman Government. "One of the "chief taxes which the Romans imposed on their provincial "subjects, was a certain proportion of the produce of all their "arable lands. This proportion was varied from the fifth to "the twentieth part, though the most common proportion "was the tenth. When the Romans had occasion for corn "to supply the city of Rome or their armies, this tax was "levied in kind; but when they had not, it was paid in "money, according to a certain fixed rate. The Romans "also imposed a tax, in all the provinces of their empire, on "pasture grounds, or rather on the cattle that grazed in "them; the collectors visited all the pastures, and de-"manded a certain sum for each beast, according to an "established rate: this tax was sometimes taken in kind, "when they needed cattle for their armies." Nor were the "meadows exempted from taxation; for a certain proportion "of their produce (most probably the tenth) was exacted, "in order to provide forage for the cavalry." Henry's History of Great Britain, Bk. 1. Ch. 3. Sec. 3. Also, Lipsius de Magnitud. Rom. lib. 2. cap. 1. Heinecc. Antiq. Rom. lib. 1. App. 115, 116. And Petr. Burmannus de Vectigal. Pop. Rom. p. 40, 49.

the accounts, which are extant concerning it, being too suspicious and inconsiderable to lay much stress upon them. It is clear, however, that a Church existed; that it suffered during the Roman persecutions; that, like other Churches, it was infested with theological disputes; and that it was almost annihilated under the invasion of the Saxons, who industriously destroyed all its acts, records and monuments.

The Saxons, indeed, originally came into Britain, in consequence of a solemn invitation, to assist and protect the natives from the incursions of the Scots and Picts; but, being soon sensible of the riches and fertility of the country, and convinced of the inability of the inhabitants to oppose their power, they formed the plan of establishing themselves in it; and they so successfully pursued the execution of their design, that, in the course of an hundred and fifty years, they entirely overpowered or expelled the native Britons, and remained thoroughly fixed in their possessions.

"As the Saxons met a more vigorous resistance "in Britain than any other of the northern na- "tions who founded kingdoms on the ruins of the "Roman Empire in other countries; so they "treated the native Britons with greater se- "verity. All the other northern conquerors con- "tented themselves with seizing two-thirds of the "conquered country, which they divided among "themselves, leaving the other third in the pos- "session of the ancient inhabitants. But the

"Saxons seized the whole country *, reducing "all the ancient inhabitants who remained in it to "a state of slavery, without leaving them even "the property of their own persons. This country "with its wretched inhabitants, those greedy un- "relenting conquerors divided among themselves, "allotting to each chieftain an extent of territory, "and a number of slaves, proportioned to his dig- "nity, and the number of his followers †. As these

* That nearly a similar seizure of the lands of the Saxons was made by the Normans at the time of the conquest, may be inferred from this circumstance, that "All or most of the "witnesses and grantees (that is, Bishops, Earls, and Barons) "mentioned in any of the charters of the Norman Kings, "after the middle of the reign of William Ist., were Nor- "mans or foreigners; and that there is scarce any one Earl, "Baron, or great man to be found in all those kings' reigns "that was not of Norman, or other foreign extraction." Brady's History of England, Vol. Ist. Preface to the Reader.

† "By the laws and ordinances of ancient kings, and "especially of King Alfred, it appeareth, says Lord Coke, "that the first kings of this realm had all the lands of Eng- "land in demesne, and the grand manors and royalties they "reserved to themselves, and of the remnant they, for the "defence of the realm, enfeoffed the Barons of the realm, "with such jurisdiction as the Court Baron now hath, and "instituted the Freeholders to be judges of the Court "Baron." Coke's Instit. Bk. 1. cap. 9. sect. 73. On this state- ment, it has been observed by an able Anglo-Saxon historian of the present age, that "much of it may be true; but it "can only be made inferentially, for no positive information "has descended to modern times of what lands the Saxon "chieftains possessed themselves, nor how they disposed of "them. We may recollect, that, according to the laws of "the Britons in Wales, in the ninth century, all the land of

" chieftains and their martial followers, had ac-
" quired their title to their respective proportions
" of lands, slaves, and spoils, by the points of their
" swords; so they received them in full and free
" property, without being subject to any payments
" to their sovereigns, or other magistrates, or even
" to any services, except those of fighting in the
" defence of their country, and keeping the high-
" ways, bridges, and castles, in repair.

" This made it necessary to assign a certain
" proportion of lands, with their slaves, cattle,
" houses, &c. for the support of the government,
" and of the dignity of those who were invested
" with it. In the division, therefore, of the con-

" the kingdom was declared to belong to the king; and we
" may safely believe, that the same law prevailed, while the
" Britons occupied the whole island." Turner's Anglo-Saxon History, vol. iv. p. 222. But a species of feudal institution certainly existed amongst our Anglo-Saxon ancestors; and was perhaps a leading cause of their ready acquiescence in the stricter feudal system of the Normans. And, " accord-
" ing to the feudal institutions of the Normans, the absolute
" or ultimate right or dominion in lands was vested in the
" social body; and, of consequence, must have been con-
" sidered as virtually resting in that person, who was the
" representative of the state. The king was the represen-
" tative of the whole nation; and the landed property of the
" whole nation was, therefore, to be held immediately or
" mediately of the king. The kingdom was divided into
" portions or districts, and partly allotted to the several in-
" ferior chiefs, and partly remained in the king's hands.
" The inferior chiefs, in like manner, granted out portions
" of their territory to others; and those others also granted
" out portions of their possessions to be held of themselves."
Watkins on Copyholds, by Vidal, vol. ii. p. 207.

"quered country, the chief commander of each "army of adventurers received, in the first place, "that proportion of lands, slaves, and spoils, that "fell to his share as leader of a particular tribe "or family, which he held in free and full pro- "perty, and might alienate at his pleasure, as well "as any other chieftain. Besides this, when he "was advanced to the throne, he was put in pos- "session of those lands, &c. which had been al- "lotted for the support of the royal dignity; but "of these he was only the usufructuary, and not "the proprietor; they belonged to the crown, and "not to the king, who could not alienate them "without the consent of the national assembly or "Wittenagemote. What proportion the crown "lands originally bore to those of the nation in "each state, or whether there was any such pro- "portion settled or not, we are entirely ignorant; "though it is highly probable, on many accounts, "that these lands were very considerable in ex- "tent and value." Out of the produce of their "crown lands and family estates, which were cul- "tivated partly by slaves, and partly by ceorles*,

* "The Ceorles were free men, and constituted the mid- "dle class of the people, between the labourers and me- "chanics, (who were generally slaves, or descended from "slaves) on the one hand, and the nobility on the other. "They might go where they pleased, and pursue any mode "of life; but so many of them applied to farming the lands "of the nobility, that a Ceorle was the most common name "for an husbandman or farmer, in the Anglo-Saxon times." Henry's History of Great Britain, B. 2. ch. 3. sect. 2. To those particulars respecting the civil state, freedom, and occu-

"those ancient monarchs supported their families "and numerous retainers in rude magnificence "and plenty *."

* Henry's History of Great Britain, b. ii. ch. 3. sect. 2.

pation of the Saxon Ceorle, may be added, that his rank, as a Ceorle, was esteemed so respectable, that the price of his head was two hundred shillings, when that of a Thane's was only twelve hundred. (Wilkins's Anglo-Saxon Laws, p. 42.) And by a law of Athelstan's, a Ceorle, who had the possession and property of full five hides of land, and had a church, and a kitchen, a bell-house, and (Burgheat-Setl, and Sunder Note on Kynges Healle, or Atrii Sedem, ac officium distinctum in Aulâ Regis) a Hall*, was thenceforth entitled to the rank

* By the general and inadequate word, "Hall," does Hume translate, most incorrectly, the passage in Athelstan's Law, "Burgheat-"setl, and Sunder Note on Kynges Healle." Wilkins had previously rendered them, "Atrii Sedem, ac distinctum Officium in "Regis Aulâ;" but certainly without giving the full force or import of the word "Burgheat." Had he added to "Atrii" some such explanatory word, as municipalis, judicialis, &c. he would perhaps have approached towards the probable meaning of the Saxon word "Burgheat." In Lye's Dictionary, "Burgheat" is rendered "Urbis Porta;" and "Setl, Sedes, Cathedra, Anglicè, a Settle:" that is, a seat (a Cathedra, a seat of Authority, è Cathedrâ,) at or in the City Gate. In the early ages of the world, the gates of a city were the usual places for assembling the people on public, judicial, or other occasions. "Thus amongst the Jews, the judges 'sat in the Gate' of "of the City; and we are told, that the custom continues to this "day in the east. Dr. Shaw supposes, that the court of the Grand "Seignior was called The Port, from the circumstance of the king's "dispensing justice at the gate among the oriental nations. The "custom is alluded to by Homer, and appears to have prevailed at "Rome. In our own nation we have instances of a similar practice. "It seems alluded to, at least, in a law of Athelstan (Selden's Titles "of Honor, part 2nd; ch. v. sect. 4. pp. 515—16.) The constable "of the Castle of Dover is forbidden, by Statute 28th Edw. I. ch. 7. "to hold certain pleas 'a la porte du Chastel;' which, as the au-"thor of Observations on the Statutes very justly remarks, should be

The time of the arrival of the Saxons in Britain, is rather doubtful, but it was certainly prior to the year 450; from which period, until the com-

of a Thane, (Wilkins, p. 71,) and stood next in rank to a Thane of the first order; and was as free as to his person, as a Thane of the first class, or a King's Thane, as they were called. Laws may be justly said to indicate the state of society, and to be founded upon it. And as in the early times of every nation, we are not to suppose experiments or refinements in legislation, therefore, the situation of the

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" translated at the gate, and not within it, as it is usually rendered. " And the same learned writer gives us a passage from ' la vie de " Saint Louis,' wherein are mentioned ' Les Plez de la porte.' And " in France it was anciently a custom to present petitions or com- " plaints to the king at the gate of his palace." (Watkins on Copyholds, by Vidal, vol. 2. p. 15.)

It is therefore to be inferred, that the Anglo-Saxons, either had actually followed the ancient custom, and held their public assemblies at the gates of their cities, towns, &c. or had adopted the expression, as significant of their municipal meetings or councils, or had their Burghgemotes which were ordered to be holden three times in the year. (Wilkins, Anglo-Saxons Laws, p. 186.) And the idea, that " Setl," has reference to something connected with a judicial situation, is strengthened by its being rendered, by Lye, Sedes, which is derived from Sedeo, to sit in judgment: And accordingly, in Turner's Anglo-Saxon History, vol. 4. p. 292. " Burgheat-Setl," is translated " a Judicial Seat at the Burgh Gate." And that such judicial situation was not of sole authority, but in conjunction with others, may be likewise reasonably inferred, from the word " Setl" itself, or Settle; which seat still continues to be used in farm houses, and is always made to afford sittings for many persons. Hence, then, with the full proprietorship of five hides of his own land, and with the possession of a church, a kitchen, and a bell-house, it seems to have been indispensable towards raising a ceorle to the rank of a thane, that he should have been a member of his Burghgemote, city or town magistracy or council; and likewise that he should have had an appropriate office in the king's hall; that is in the supreme court of justice in the kingdom, in which the king, as Capitalis Justiciarius totius Angliæ, presided.

mencement of the seventh century, the Saxons were in a continued state of warfare with the British natives. And when the contest with them had ceased, and the whole country, Wales and Cornwall excepted, had been reduced and divided into seven kingdoms, whose apparent interest it was to have supported each other, yet the jealousies, incident to such petty principalities, perpetually kindled the flames of war amongst them; having no other enemies to contend with, they quarrelled amongst themselves, and carried their contentious and ambitious spirit to such extremes, that the seven kingdoms or Heptarchy, were at length united, by a train of battles, stratagems, treasons, and murders, under the government of one sole monarch, in the person of Egbert, the first king of England, in the year 827.

Saxon Ceorle must have been respectable, and his occupation regarded as liberal, before the idea of raising him to a distinguished rank in the state could have occurred to the legislator. And, if such was the highly privileged situation of the Ceorle, the state itself of agriculture must have been flourishing, in order to render the profession, in a certain degree, honorable; and the profession of it (the chief source of acquiring wealth or property in those days) must have been proportionably profitable, by enabling the Ceorle gradually to acquire that extent of land, which, with other subsequent necessary requisites, could not fail to raise him to the order of nobility. And, if the state, and the profession of agriculture were thus flourishing and profitable, it is to be inferred, that the produce of agriculture, and the consequent produce of tithes to the clergy under Ethelwulph's grant in 855, and which could only be paid in kind, must have been considerable.

Whilst the Saxons were engaged in hostilities with the Britons, they could have had little time to attend to Religion of any kind; besides, the species of Paganism in which they had been brought up, their military prowess, and their lust of dominion, were all intimately connected together, and were most suited to their designs of conquest, the ferocity of their dispositions, and the uncivilized state of their manners.

But when they began to find themselves firmly settling in their new possessions, their minds, at every interval of peace, turned towards the improvement of the country they had acquired, and to the cultivation of those arts, in which they quickly perceived themselves to be far excelled by the vanquished Britons. The decided superiority of the latter, in most respects, stimulated the Saxons to every exertion of their natural powers; and thus, their manners insensibly assumed a softer and more civilized tone; And, by an intercourse with the few remaining members of the British Church, they became likewise gradually acquainted with the leading principles and duties of Christianity; their minds were enlightened; and, bursting asunder the fetters of their Pagan theology, they were thus prepared for the reception of the Gospel.

This event came to pass about the close of the sixth century. And, without entering into the particulars, it may be sufficient to say of it, that the Christian doctrines were so readily embraced throughout the kingdoms of the Heptarchy, that

the Saxons were, in a short time, as remarkable for their attachment, as they had been before, for their aversion, to Christianity.

As their conversion was effected by the efforts of the Roman Pontiff, it was consequently accompanied, by the introduction of the Roman form of Church government also; and, for whose support, a provision was soon made, by the piety and munificence of the different Saxon kings and nobles, and possibly by the restoration of the property, and the re-establishment of the rights, formerly enjoyed by the British Church. It can scarcely be doubted, but that the Saxon Clergy were gradually put in possession of the same dues and privileges, as were enjoyed by their Roman brethren. And as, in the Roman Church, tithes of annual increase, under the idea of offerings, had been accounted for, during the two preceding centuries, it is a strong presumptive proof, that, according to the laws of Ina, Withred and Ethelbald, the canons of Egbert, Archbishop of York, the Epistle of Boniface, Archbishop of Mentz, and a Canon of the Council of Calcuth, (a Council of undoubted authenticity,) the same practice prevailed in the Saxon Church, and long before its Clergy were endowed with tithes, by any constitution of civil authority.

"The ChristianClergy in England, as well as "in other countries, began pretty early to claim "the tenth of every thing, as the proportion set"tled by the Levitical law for the maintenance "of the Ministers of Religion; but it required a

"a long time, and many laws, both of Church "and State, to make this claim effectual. In the "seventh and eighth centuries, the English "Clergy had been supported by the produce of "the lands, which had been given to the Church "by Kings and other great men, by a Church "scot of one Saxon penny on every house that "was worth thirty Saxon pence of yearly rent, "and by the voluntary oblations of the people. "These funds, in times of plenty and tranquillity, "were abundantly sufficient; but in those times "of war and confusion, when their houses were "burnt, and their slaves, who cultivated their lands, "killed or carried away by the Danes, when the "Church Scot could not be regularly levied, and "when the voluntary oblations of the people "failed, the Clergy were reduced to great distress "and indigence *."

The most ancient law, concerning the civil right to Tithes in England, was made by Offa, King of Mercia, whose kingdom was perhaps nearly equal in extent to the other six kingdoms of the Heptarchy. By him, (in imitation of Charles the Great, Emperor of the West,) the Saxon Church, throughout his kingdom, was, about the close of the eighth century, invested with a property and inheritance in Tithes, and enabled to claim and enforce the payment of them.

Ethelwulf, who succeeded to the throne of his father Egbert, was originally designed for the

* Henry's History of Great Britain, Book 2. Chap. 2. Sect. 4.

church; and being of a devout and benevolent disposition, he was desirous of relieving the distresses of the Clergy, by investing them with a more ample and definite inheritance, than they had hitherto enjoyed, and possibly not without the hope of averting through their prayers the dangers with which his kingdom was threatened by the invasions of the Danes. About threescore years, therefore, after the passing of Offa's law in the kingdom of Mercia, Ethelwulf adopted it in his hereditary kingdom of Wessex, by a charter to be found in Dugdale's Monasticon, and which has been thus translated:

"I, Ethelwulf, by the grace of God, King of "the West Saxons, in the holy and most solemn "feast of Easter, for the health of my soul, and "the prosperity of my kingdom, and of all the "people committed by Almighty God to my "charge, have with my Bishops, Earls, and all "other my nobles, brought to pass this wholesome "counsel, that I have not only given the Tenth "Parts of the lands throughout my kingdom to "the holy Churches, but have also granted to "our Ministers placed in them, to enjoy them in "perpetual liberty, so that this grant shall re-"main firm and immutable, freed from all royal "services, and from all secular service whatever. "And it hath pleased Ælstan, Bishop of Sher-"borne, and Swithun, Bishop of Winchester, and "the rest of the chief men to give their consent "hereto. This we have done for the honor of "our Lord Jesus Christ, and of the Blessed Virgin

"Mary, and of all the Saints, and for the reverence which we bear to the feast of Easter, that Almighty God may vouchsafe to be propitious to us and our posterity. This charter was written in the year of the incarnation of our Lord Jesus Christ 854, in the second indiction, on Easter Day, in our palace called Wilton. Whosoever shall augment this our donation, may God augment to him his prosperous days; but, if any one shall presume to diminish or change it, let him know, that he must give account hereof before the judgment-seat of Christ, unless, in the interim, he doth make amends, by giving satisfaction for the same. I Ethelwulf, King. I Ælstan, Bishop. I Swithun, Bishop. I Wulflaf, Abbot. I Werfurd, Abbot. I Æthered and Ælfred, the King's Sons, have given our consent hereto."

This charter, though signed by seven persons only, the King, two of his Sons, two Bishops, and two Abbots, was made with the parliamentary consent of the time, that is, the great men of the Laity and Clergy of the kingdom of Wessex assembled in the Wittenagemote: and it scarcely admits of a doubt, that its ordinance was strictly observed in respect to the King's patrimonial inheritance and the crown lands, and also obeyed by the great men or nobility, who had consented to it, on their estates.

In the following year, 855, Ethelwulf, on his return from a devout journey to Rome, extended this charter to the whole realm of England: which

extension was confirmed by a second charter, made likewise with the parliamentary consent of that time, and recorded by Ingulphus the most ancient of our historians; and is contained in the following translation *.

* Prideaux on Tithes, p. 176. That is, according to Ingulphus, except in the second part, where the more definite words of Matthew of Westminster, "Decimam scilicet "partem terræ meæ," are translated; and which are previously explained by him, on introducing the subject of the charter, to be "Decimam regni sui partem." The text of the charter in Ingulphus (and in William of Malmesbury, who also records it,) is so greatly corrupted, that the extent of the Tithes granted by it, and whether of Ethelwulf's hereditary lands or dominions only, or whether of England in general, is not immediately evident. Asserius Menevensis, contemporary with Ethelwulf, and therefore to be supposed best to know what was then done, says, "The grant of "Tithes was not only for the King's demesne lands, but for "all the lands of the whole kingdom." (Prideaux on Tithes, p. 193.) As an Annalist, Asserius Menevensis does not insert the charter itself, but says, that Ethelwulf "Decimam totius regni sui partem, sempiterno graphio, uni et trino Deo immolavit." Florence of Worcester has used the same expression, word for word. And it is to be remarked that Ingulfus, in his preface or preamble to the charter, uses likewise the expressions, "All England and all "lands;" saying, that Ethelwulf, with the free consent of all his Bishops, and of all his Princes or great Men who under him governed the various provinces in all England, endowed the Church of England with the Tenths of all lands, and of other goods or chattels. So also, William of Malmesbury, in his introductory preface to the charter, says, "Apponam "Scriptum libertatis Ecclesiarum, quod toti concessit "Angliæ." And, as the Wittenagemote or Parliament which sanctioned this charter, was numerously attended by all the

"I. Our Lord Jesus Christ reigning for ever. "Whereas in our time we have seen the burnings "of war, the ravagings of our wealth, as also "the cruel depredations of enemies wasting our "land, and many tribulations from barbarous "Pagan nations inflicted on us, for the punishing of "our sins, even almost to our utter destruction, and "also very perilous times hanging over our heads. "II. For this cause, I Ethelwulf, King of the West "Saxons, with the advice of my Bishops and Nobles, "have resolved on an wholesome and uniform "remedy, that is, that I grant as an offering unto "God, and the Blessed Virgin, and all the Saints, "a certain portion of my kingdom, to be held by "perpetual right, that is to say, the Tenth Part "thereof, and that this tenth part be privileged "from temporal duties, and free from all se-"cular services and royal tributes, as well the "greater as the lesser, or those taxes, which we "call, Witerden, and that it be free from all things "else, for the health of my soul, and the pardon "of my sins, to be applied only to the service

Archbishops and Bishops of England, (not of Wessex only,) by the tributary Kings of Mercia and East Anglia, (whose kingdoms with Wessex comprehended nearly the whole realm of England,) and by the Abbots, Abbesses, and great Men of the whole land, all of whom were present and assenting, it is evident, from these accumulated circumstances, that the grant or donation by Tithes by Ethelwulf extended to all sorts of Tithes, and to the lands of the whole realm of England; and was sanctioned by the Wittenagemote or Great Council of the Anglo-Saxon nation, and in which was lodged the supreme legislative and judicial authority.

" of God alone, without being charged to any ex-
" pedition, or to the repair of bridges, or the
" fortifying of castles, to the end, that the Clergy
" may, with more diligence, pour out their
" prayers to God for us without ceasing, in which
" we do in some part receive their service.
" III. These things were enacted at Winchester,
" in the church of Saint Peter, before the great
" Altar, in the year of the incarnation of our
" Lord, 855, in the third indiction, on the nones
" of November, for the honor of the glorious
" Virgin and Mother of God Saint Mary, and
" Saint Michael the Arch-Angel, and of the
" blessed Peter, Prince of the Apostles, and also
" of our blessed Father Pope Gregory, and of all
" the Saints. IV. There were present and sub-
" scribing hereto, all the Arch-bishops and Bishops
" of England, as also Beorred King of Mercia,
" and Edmund King of the East Angles, and also
" a great multitude of Abbots, Abbesses, Dukes,
" Earls and Noblemen of the whole land, as
" well as of other Christian people, who all ap-
" proved of the Royal charter, but those only who
" were persons of dignity, subscribed their names
" to it. V. King Ethelwulf, for the greater firm-
" ness of the grant, offered this charter upon the
" Altar of Saint Peter the Apostle, and the Bi-
" shops on God's part received the same of him,
" and afterwards sent it to be published in all
" the Churches throughout their respective dio-
" ceses *."

* Sir Henry Spelman seems disposed to think, that from

Thus, were the Saxon Clergy endowed, with a legal, hereditary and permanent right and property in tithes, by which their successors have ever since holden them, and by which they are as fully entitled to and possessed of their tenth parts, as all

this charter, parsonage houses, in every parish, with glebe lands, afterwards augmented by virtue of canonical ordinances and the munificence of patrons, derived their origin. Perhaps, certain words in the corrupted text of the Charter, in Ingulphus and Malmesbury, are favorable to this Idea. Parochial divisions were assuredly known in England, prior to the reign of Ethelwulf, having been ordained (as it is said) by Honorius, Archbishop of Canterbury, about 636: And the residence of a priest in each parochial division, being evidently desirable and necessary, it is therefore probable, that some provision to effect this object, was made at an early period. Parochial divisions were, at first, co-extensive with the Manors or Estates of the great proprietors, who were usually the Founders of the Churches, on their Landed Property. But parochial divisions did not generally take place at once, nor exist as in our days: for though recognized in Athelstan's Charter, in 930, they were the gradual work of successive generations. As population increased, or convenience required, additional Churches were founded; and then "new "parochial circuits were allotted, in proportion to the new "churches and the Manors or Estates of the founders of them. "Thus, certainly began the increase of parishes, when one "too large and diffuse for the resort of all inhabitants to one "Church, was by the addition of some one or more Churches, "cantoned into more limited divisions. This was such an "abatement to the revenue of the old Churches, that com-"plaint was made of it in the time of Edward the Confessor: "now (say they) there be three or four Churches, where in "former times there was but one; and so the Tithes and pro-"fits of the Priests are much diminished." Burn's Ecclesi-"astical Law, Title, Parish."

proprietors of lands are of the other nine. It must, nevertheless, be owned, that these two charters by Ethelwulf, have given rise to a degree of controversy, but to little purpose; since Comber and Prideaux, in their several Treatises on Tithes, have clearly shewn, that "The grant of Tithes made "by King Ethelwulf in his Parliament, holden in "855, after his return from Rome, was enacted for "the whole realm of England and all the lands of "it, and that tithes were then settled, not only on "the Clergy then in being, but on them and their "successors for ever *."

In respect to these two Charters by Ethelwulf, if it should be remarked, that, from the very small number of signatures to the first, which imply an inconsiderable Assembly of the great and wise men of the Laity and Clergy in the Wittenagemote who enacted it, the Charter could not have been made with the full parliamentary consent of the times, without whose consent, neither the crown lands could have been legally alienated, nor the tithes arising from them have been legally invested in the Clergy, let it be remembered, that this first Charter related to the kingdom of Wessex only, the hereditary kingdom of Ethelwulf and in which his patrimonial inheritance also was most probably situated. But no similar objection can be made to the legal and complete enaction of the second Charter, which related to the whole realm of England. It appears from the words of the charter itself, that the Wit-

* Prideaux on Tithes, p. 196.

tenagemote, national grand council, or parliament, of the great and wise men, which met on that occasion, was most numerously attended, by all the Archbishops and Bishops of England, by the tributary Kings of Mercia and of East Anglia, and also by a great number of Abbots, Abbesses, Dukes, Earls and Noblemen of the whole land, as well as of other christian people. This parliament or Wittenagemote, therefore, was fully competent to deliberate on and complete any and every legal and constitutional act, and accordingly to sanction the second Charter; which was approved of by all, though those only, who were persons of dignity, subscribed their names to it. In fact, a stronger grant, originally emanating from the King, the grand source or depositary of landed property, could not possibly have been made.

"But notwithstanding the solemnities accompanying this donation," observes an *Historian*, "we "have good reason to believe the intent of this famous grant was frustrated, by the vague and indeterminate strain in which it was conceived, and "the deplorable confusions which soon afterwards "followed." However the same writer admits, that, when at the great council, parliament or Wittenagemote held by Athelstan, and attended by all the great and wise men of the Laity and Clergy, the payment of tithes of corn and cattle was by name then solemnly ordained, if "the famous grant "of Ethelwulf of the tenth part of his lands to the "Church did not mean the tenth of the produce, it "was now understood in this sense, either by tacit

" consent and custom, or by some law which is now " lost *."

Another historian has observed on this second Charter, that " however it be commonly called the " grant of king Ethelwulf, it was an act of the " great council or parliament of those days, whose " general meetings of the Bishops, great and wise " men as they are frequently named, or of the states " or Baronage, were called Wittenagemotes, great " councils, and afterwards parliaments: that, " though tithes might be paid by some persons, " and in some places before this grant, this was the " first public act that imposed a necessity of paying " them; and that the things granted, however ex- " pressed, were the tithes of the profits of all lands, " as Selden concludes †."

And the same historian might have added from Selden also, in more particular illustration of the Charter, that " though out of the corrupted lan- " guage of the Charter, it is hard to collect what " the exact meaning of it, was, yet how the ancients " understand it, is best known by the words in which

* Henry's History of Great Britain, bk. ii. ch. 2. sect. 4 and 5.

† Brady's History of England, vol. i. p. 112.

" I have been more exact in reciting this law concerning " tithes," says an old and excellent English historian, too much neglected, " both because it gives us the form of " passing an Act in the Great Council of the Kingdom at " that time, and who were the parties to it, as also because " this was the first general law that was ever made in a Mycel " Synod of the whole kingdom for the payment of tithes." Tyrrell's History of England, vol. i. p. 263.

" they sum it; and if we consider well the words " of the chiefest of these ancients, Ingulphus, we " may conjecture, that the purport of the Charter " was to make a general grant of tithes payable " freely and discharged from all kind of exactions " used at that time; that the granting the tenth " part of the hides or plough-lands, denotes the " tenth of all the profits growing in them; and that " doubtless Ingulphus no otherwise understood it " than of perpetual right of tithes given to the " Church; that the tithe of predial or mixed pro- " fits was given, it seems by the king, with the " consent of his states both secular and ecclesiastic; " and that the tithe of every man's personal pos- " sessions were at that time expressly included in " the Gift *."

Amongst the numerous laws which Alfred introduced for the good government of his kingdom and for the recovery of his subjects from that disorderly state into which they had fallen in consequence of the Danish invasions, there was one which strictly enjoined, that tithes should be paid to the Church: and amongst the laws subsequently agreed upon between him (in conjunction with his son Edward) and Guthrun the Dane, the payment of tithes was not only ordained, but a penalty added on the non-observance; a Dane, being to pay a fine of twenty shillings, and an Englishman of thirty shillings. And indeed, not only in respect to the non-payment of tithes, were pecuniary penalties inflicted on offen-

* Selden on Tithes, p. 205, 206, 207.

ders, according to the Anglo-Saxon laws, but "pe-
"cuniary compensation was their general mode of
"redressing personal injuries, and of punishing
"criminal offences. This feature certainly an-
"nounces, that the spirit of legislation began to be
"understood, and that the sword of punishment
"had been wrested, by the Government, out of the
"hand of the vindictive individual. It is also dis-
"plays a state of society, in which property was
"accumulating. It is, however, a form of punish-
"ment, which is adapted to the first epochas of ci-
"vilization only; because, as wealth is more ge-
"nerally possessed, pecuniary mulcts become legal
"impunity *."

These laws relating to the payment of tithes, were further supported by that of Athelstan, made about forty years afterwards, in the year 930, and which, from Bromton's Chronicle, hath been rendered into English, as follows.

"I, Athelstan, the King, by the prudent advice
"of Wolfhelm my Archbishop and my other Bi-
"shops, do command all my Reeves in my kingdom,
"and strictly enjoin them in the name of God, and
"of all his Saints, and as they tender my favor,
"that, above all things, they take care to pay out
"of my lands the just and due tithes, as well of all
"cattle, as of the annual product of the ground;
"And, moreover, let all our Bishops, Earls and
"Reeves do the same out of their lands: And let
"all our Bishops and Reeves, who administer

* Turner's Anglo-Saxon History, vol. iv. p. 12.

" justice to those they are over, take care, that " they give judgment according hereto. And let " all this be done by the day, that we have ap- " pointed for it, that is, the feast of the decollation " of Saint John the Baptist. And I will, that the " Cyricsceat be paid to that place, to which it doth " belong, that there those may enjoy them, who " by their ministerial service shall best deserve them " from God and us."

This command or law of Athelstan was enacted in Parliament, and was so well received, that, in Kent, the Nobles, Gentry and Commons returned the King thanks, and expressed their readiness to observe it. The Cyricsceat, or Church-Scot, mentioned in it, was, according to Kennet's Parochial Antiquities, a certain portion of corn paid out of the first threshing after harvest. And it is most worthy of being remarked, that this Church-Scot is expressly commanded " To be paid to that place, " to which it doth belong;" which plainly shews, that, to whomsoever tithes had been formerly paid, they were now to be paid to those who were most entitled to receive them, the Parochial Clergy; and that, therefore, parochial divisions must, at this time, have generally obtained throughout the kingdom.

When tithes were first introduced into England, it hath been said, that every man was at liberty to pay them to whatever Church or Priest he was most inclined, provided he paid them to some one; or else to deliver them to the Bishop of his diocese, and leave the disposal of them to his care. This

notion, though possibly it would not bear a close examination itself, hath, however, given birth to the wild conceit of arbitrary consecrations of tithes, as they are called; a position, which hath been often and satisfactorily refuted, and of which it would be wasting time to say scarcely more, than that the payment of tithes, parochially, was very ancient, and was usually, if not generally, observed.

Though it be allowed, that, during the two centuries next after the conversion of the Saxons, an arbitrary disposal, and not consecration of tithes, might have been permitted or connived at, this practice cannot be supposed to have prevailed in any extensive, or even material degree; because it may be fairly presumed, that by far the greater part of the actual payers of tithes would have been naturally inclined, to have disposed of them in favor of those Priests, with whom they had most spiritual intercourse; that is, the Priests of the districts or parishes, in which they themselves resided, and in which their tithes arose.

But when parochial divisions began to take place, then the payment of all offerings and tithes was undoubtedly soon confined to the Churches of the particular parishes, in which such offerings and tithes were produced. And as it cannot be denied, that parishes did generally obtain in England, by the middle of the tenth century, the assertion of those who insist, that the payment of tithes parochially in this kingdom, was neither ordained nor practised, till the latter end of the twelfth or

the beginning of the thirteenth century, must fall to the ground: for it is indisputable, that tithes had been civilly commanded to be paid, to the respective parochial Churches to which they belonged, and, actually, must have been so paid, for more than two centuries before.

This last circumstance is clear, from the introduction of the practice of Appropriations. For, if the right of tithes, parochially, had not been defined and long settled, and the consequent payment of tithes to the respective parish Priests had not been duly observed, what end could have been answered by the introduction of appropriations, at the Norman Conquest? Since, if every man had been at liberty, either fraudulently to refuse the payment of his tithes, or else capriciously to dispose of them to any ecclesiastical person, according to his own will and pleasure, such appropriations could not have been made to any beneficial purpose; as the Religious Houses would have been merely invested with a simple right, without the power of enforcing it.

And, as to the civil and ecclesiastical documents, collected in favor of the notion of arbitrary consecrations, they do not support it; inasmuch, as they relate, either to the restoration of those infeodated tithes, which in preceding times had been forcibly taken from the Church, or to the appropriation of tithes to Religious Houses: which practice, introduced by the Normans, was fostered by the collusion of Kings, Popes, Bishops, and Patrons, for the support and increase of the monastic institutions.

About the year 944, Edmund, brother and successor to Athelstan, in a Parliament consisting of Laity and Clergy, holden at London, enacted a law, which may be seen in Spelman's Councils, "Charging all Christian men, upon their Christi- "anity, to pay to the Church their tithes, their "Cyricsceat, and plough-alms; and those, who "neglected it, are declared accursed."

Edgar, the son of Edmund, in the year 967, in a full assembly and by the advice of his wise men, made a law respecting and enforcing the payment of tithes, in a much more explicit and effectual manner, than any other which had preceded it. This law hath been translated from Bromton's Chronicle, in the following words.

"First of all, Let the Church enjoy all her "rights and immunities, and let every one pay "to the Mother-Church to which he belongs, "tithes of all lands which the plough goes over, "whether they be lands of the gentry, or the "lands of their vassals. If any Lord hath a "Church built on his charter-hold lands, that "hath a Church-yard belonging thereto, with "right of burial, he may assign a third part of "his tithes thereto. But, if there be no Church- "yard belonging thereto, with right of burial, "the Lord of the soil may give unto the Minister "of that Church for his maintenance, as much of "his nine parts, as he shall think fit; but the "tenth part must be paid to the Mother-Church. "And the Church-due, which is called, Cyrics- "ceat, which is due out of every free-man's

"house, must also be paid to the Mother-Church. "All must pay the tithes of the young of their "cattle before Whitsuntide, of the fruits of the "earth before the Autumnal Equinox, and their "Cyricsceat on Saint Martin's Day. If any one "doth not pay them, let him undergo the penalty "prescribed in the Judicial Book. And, if any "one shall refuse to pay his tithes in such man-"ner, as we have prescribed, then let the King's "Reeve, and the Bishop of the Diocese, and the "Minister of the Parish convene together, and let "them by force cause the tenth part to be paid to "the Church, to which it was due, leaving only "the ninth part to the owner. And for the other "eight parts, the Lord of the Manor shall have "one four parts, and the Bishop of the Diocese "the other four. And let this be done, whether "the party offending hold of the King, or of any "other Lord."

In the year 1008, Ethelred, the son of Edgar, in a general Parliament of all England, enacted a law in favor of the Church, enforcing the payment of ecclesiastical dues, as appears from the subsequent translation of it, from Spelman's Collection of Councils.

"Let every man duly pay every year, what is "due unto God, the plough-alms within fifteen "days after Easter, the tithe of young cattle at "Whitsuntide, the tithe of the fruits of the earth "on the Feast of All-Saints, and the Church-due, "called Cyricsceat, on Saint Martin's Day. The "Church-due for finding lights, must be paid

" thrice in every year. But it is most fitting, that " the fee for burial be always paid at the time, " when the grave shall be dug. If any one " burieth a dead body out of the parish to which " the deceased did belong, he shall nevertheless " pay the fee of burial to that parish Church, " where he was, whilst he lived, a parishioner."

And, again, in the year 1012, Ethelred added another law, still further enforcing the payment of tithes, and confirming the laws of his predecessors, which may be seen in Bromton's Chronicle, and hath been thus given in English.

" We command, that every man, for the love of " God, and all his Saints, shall pay his Cyricsceat, " and his full tithe in the same manner, as it was " done in those times of our predecessors, when " it was best done, that is, that he pay for tithe " every tenth acre, that the plough shall go over. " And every other customary due must be paid to " the Mother-Church, to which every man be- " longs, for the love of God. And let no man " take from God, what belongs to God, and which " our predecessors have consecrated to Him."

Though Canute was, by right of conquest, enabled to make any changes, in the Church or State, to which he might have been disposed, yet it is not found, that the Church experienced any alteration on his acquisition of the Crown. On the contrary, he was solicitous to preserve the ancient usages of the Church, in their utmost latitude and vigor, as is evident from a letter, written by him from Rome to his Bishops and Nobles,

and which is thus translated from William of Malmesbury.

" I do now solemnly charge all my Bishops, " and all the Reeves of my kingdom, by the faith " which they owe unto me, and unto God, that, " before I shall return into England, ye take ef- " fectual care, that the dues which we owe out " of all things to the Church, be fully paid, and " the tithe of young cattle for the year in which " they are procreated, and the Peter-Pence which " we owe unto Rome; and that this be paid, as " well out of cities as villages, and by the middle " of August the first-fruits of the seed, (which in " the Saxon is called, Cyricsceat,) to the Church " of the parish, where every one dwelleth. And, " if these and such like dues be not fully paid by " the time I shall return, whoever he be, that shall " be found faulty herein, the royal coercion shall " force him, according to the laws, strictly and " without any indulgence, to pay the same."

And, in further confirmation of the rights of the Church, Canute, on his return from Rome, in a Parliament holden at Winchester, about the year 1030, revived all the most obligatory laws of his predecessors, in the following law, as it hath been translated from the Saxon original, in Spelman's Councils.

" Let every man annually render unto God, " what is of right due unto Him. Let him pay " the plough-alms within fifteen days after Easter, " the tithe of the young cattle at Whitsuntide, " and the tithes of the fruits of the earth on the

" solemn festival of All-Saints. But, if any one
" shall refuse to pay his tithes in such manner, as
" we have said, that is, every tenth acre that is
" ploughed, let the King's Reeve, the Bishop, the
" Lord of the Manor, and the Minister of the
" Parish convene together, and by force cause the
" tenth part to be paid to the Church, to which it
" is due, leaving the ninth part only to the owner.
" And, as to the other eight parts, the Lord of the
" Manor shall have one four parts, and the Bishop
" of the Diocese the other four. And this shall
" be done, whether the offender hold of the King,
" or of any other Lord. Let the Church-due,
" called Cyricsceat, be paid on Saint Martin's Day:
" if any one shall delay to pay it, let him render
" to the Bishop eleven-fold, and also pay a fine to
" the King of one hundred and twenty shillings.
" If a Lord hath a Church built on his charter-
" hold lands, which hath a church-yard belonging
" thereto, with right of sepulture, he may assign
" the third part of his tithes to that Church. But,
" if that Church hath not a church-yard belonging
" thereto, with right of sepulture, then let the
" Lord of the soil give to the Minister of that
" Church for his maintenance, as much of his nine
" parts, as he shall think fit, but the tenth part
" must be paid to the Mother-Church. And the
" Church-due, called Cyricsceat, must also, for
" every free-man's house, be paid to the Mother-
" Church. Thrice every year, a certain sum of
" money must be paid for the maintaining of lights
" at the parish-church, that is to say, for every

"hide of land an halfpenny at Easter, another "halfpenny at the solemn feast of All Saints, and "the like must be done at the festival of the Pu-"rification of Saint Mary. And it is fitting, that "at the digging of every grave, the burial fee "should forthwith be paid to the Minister. And, "if any man shall bury his dead out of the parish, "of which he was an inhabitant, the fee of the "burial must notwithstanding be paid to the "Church, to which of right it belongs."

The enacting of so many laws, concerning the payment of tithes, within the space of two centuries, may induce a suspicion of their being disobeyed; but the repetition and re-enaction of them proceeded from the violence of the times, which, exhibiting an almost continued series of depredations and invasions, threw both Church and State into so great disorder, that, upon every return of tranquillity, fresh exertions were requisite for the legal information of the people, in order to restore due obedience to ecclesiastical, as well as civil authority.

During the reign of Edward, the Confessor, who succeeded to the Crown of England in the year 1041, all the laws of his predecessors were collected and digested into one code, and established as the law of the whole realm; in different parts of which, the West-Saxon, the Mercian, and the Danish law, had hitherto prevailed, though various particular laws were, nevertheless, of necessary and general obligation, throughout the kingdom. It doth not appear, that Edward made any addition to the English laws, in respect to

either ecclesiastical or civil affairs, but that he merely reduced the laws he found in use, into one uniform point of view and observance: and, therefore, he must be understood, not as the Author, but the Compiler only of the laws, which pass under his name.

That part of the collection, which relates to the concerns and revenues of the Church, is to be found in Hoveden and Knighton, and hath been thus turned into English.

"Of all corn, the tenth sheaf is due to God, and, "therefore, is to be paid unto Him. If any one "shall have an herd of mares, let him pay the tenth "colt, but, if he shall have only one or two mares, "let him pay a penny for every colt, which he "shall have of them. In like manner, if he shall "have many cows, he shall pay the tenth calf; "if he shall have but one or two cows, then he "shall pay an halfpenny for every calf. And he "who shall make cheese, must give unto God "the tenth cheese; but he that shall make none, "must give the milk of every tenth day; and so "likewise must be paid the tenth lamb, the tenth "fleece, the tenth part of the butter, and the tenth "pig. And so, in like manner, of the bees, the "tenth part of the profit. And so, likewise, of "woods, of meadows, of waters and mills, of parks, "of ponds, of fisheries, of copse, of orchards and "gardens; and of trade, and of all things which "the Lord shall give, the tenth part is to be "rendered unto Him, who giveth us the other "nine parts with that tenth. Whosoever shall

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" detain this tenth part, shall, by the justice of the " Bishop and the King, be forced to the payment " of it, if need shall be. For these tithes Saint " Augustin" (or more properly Saint Austin) " hath preached, and they have been granted by " the King, Nobles, and people of the land; but " afterwards, by the instinct of the devil, many " have detained them. And rich Priests being " negligent, did not care to take pains to recover " them, because they were sufficiently supplied " with the necessaries of life. For, in many places, " where are now three or four churches, there, in " in former times, was but one, and so the tithes " began to be diminished."

On the Norman Conquest, the laws of Edward, the Confessor, were, upon the petition of the English, renewed and confirmed in the fourth year of the Conqueror's reign; and, at length, after repeated struggles for above an hundred and fifty years, between the succeeding Kings and Barons, were solemnly established in the reign of Henry the Third, under the title of Magna Charta: in which, as well as in the laws of Edward, the Confessor, the claims and dues of the Church are confirmed in these words, " The Church of Eng- " land shall be free, and shall have her whole " rights and liberties inviolable."

It would be easy to proceed, in stating the evidence of the legal right of the Clergy to their revenues, from the conquest to the era of the Reformation; but the continuance of such an historical deduction would certainly be tedious and dif-

fuse, and might be also unnecessary; since, having shewn the original and first civil establishment of the right, and traced its progressive explanation and confirmation, through a period of near four hundred years, amidst scenes of external invasion and internal commotion, it can scarcely be imagined, that this right would experience any diminution, in more settled times of tranquillity, public order, and security. Indeed, the contrary is so certain, that the legal title of the Church to its revenues, was never questioned in any subsequent age, except by the Monks and Friars; who cavilled at it, not from any persuasion of its indefensibility, but with a view to promote the interest and aggrandizement of their own institutions: that is, by unsettling the *minds of patrons*, and thereby rendering them more easily inclined to the practice of appropriations.

At the time of the Reformation, the English Clergy were in full possession of all the rights, with which they had been endowed, and which they had enjoyed, with little disturbance or diminution, for nearly seven centuries. And upon the great revolution, which then took place in ecclesiastical matters, when that part of the property of the Church, which had been diverted from its original intention to the support of the Monastic foundations, was, on their suppression, converted to secular uses, yet the right to tithes was so far from being invalidated by that transaction, that it then absolutely received a fresh confirmation.

All the possessions of the suppressed Societies

were given to the King, by the existing Parliament, in fee and perpetuity, and in as full and ample manner, as the late proprietors enjoyed them. And when, by the grant or sale of the tithes, which made a considerable part of those possessions, lay-men became tithe-holders, an Act of Parliament was passed 32d of Henry VIIIth, (and further confirmed and enlarged 2d and 3d of Edward VIth) not to confirm their title, but to enable impropriators, like the Clergy, to recover their tithes by legal process. These acts, of Henry VIIIth and Edward VIth, were intended to suppress any doubts or notions which might have arisen to the prejudice of the Clerical and Lay Possessors of tithes, from the King's having cast off the Pope's Supremacy, and caused such great alterations in the ecclesiastical system of this kingdom. And they were in aid of another act, which had passed before 27th of Henry VIIIth, and which declares, in the preamble of it, that "Tithes "are due unto God and Holy Church;" and, in the body of it, enacts, that "Every person, according "to the ecclesiastical laws and ordinances of the "Church of England, and after the laudable usages "and customs of parishes, should yield and pay "his tithes, offerings, and other dues."

Thus were the rights of the Clergy of the Church of England, solemnly acknowleged and expressly confirmed, at a period the most critical, interesting and important the Clergy ever experienced, and which seemed to threaten the very existence of their establishment: Rights, which every succeeding Monarch, at his Coronation, hath solemnly

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sworn to maintain, and against which, few adjudications have militated, in all the various causes brought into the Courts of Justice concerning them; and in whose favor, for the last thirty years in particular, as often as the Clergy, the possessors of them, have been compelled to seek legal redress, the judicial determinations have been in the proportion of six to one *.

Little attention hath been paid to the numerous canons and constitutions of English Councils and English Bishops, which began to be ordained from the earliest times of the Saxon Church. Though they assert, define and enforce the payment of the rights and dues of the Clergy, with the utmost clearness and precision, and with the most persuasive motives, yet, as they resulted solely from ecclesiastical authority, the introduction of them here would have been unnecessary and inapplicable; since the professed design, of this part of the Essay, hath been to investigate the Title of the Clergy to their Revenues, from the sanctions of Civil Authority only.

And, without making any long recapitulation of what hath been advanced, in proof or illustration of the Civil Right of the Clergy of this kingdom to their Revenues, this short Conclusion, it is to be presumed, is plainly deducible; that, as this Right hath been, repeatedly and invariably, acknowleged, confirmed and supported by a long succession of Kings, and by various acts of the legislature, from

* Bishop's Barrington's Letter, before cited, 1790, p. 96.

the first laws of the Saxon Monarchs, through a period of near a thousand years, down to the present time, consequently, the Clergy of the Church of England have from the Positive Laws of this kingdom, "a Legal Right to the Revenues with "which they are endowed."

CHAPTER THE FIFTH.

ON THE AMOUNT OF THE REVENUES OF THE ESTABLISHED CLERGY.

THE Right of the Clergy of the Church of England to the Revenues with which they are endowed, hath been illustrated and confirmed in the three preceding chapters, from reason and nature, from divine precedent, and from the positive laws of the Kingdom.

The second point, therefore, proposed in this Essay, comes next to be considered, namely, "That, "though these Revenues may collectively appear "large, they afford a very moderate Competency "to the many Thousands whose Subsistence de-"pends upon them:" which will be more clearly seen, by inquiring into the amount of these Revenues.

In a letter, addressed to The Archbishop of Canterbury, by Doctor Watson, Bishop of Landaff, in 1783, his Lordship says, "The Revenue of the "Church of England is not, I think, well under-"stood in general; at least, I have met with a "great many very sensible men of all professions "and ranks, who did not understand it. They

"have expressed a surprise, bordering on disbe-
"lief, when I have ventured to assure them, that
"the whole income of the Church, including Bi-
"shopricks, Deans and Chapters, Rectories, Vica-
"rages, Dignities and Benefices of all kinds, and
"even the two Universities with their respective
"Colleges, which being Lay Corporations ought not
"to be taken into the account, did not amount upon
"the most liberal calculation, to 1,500,000l. a
"year." And his Lordship adds, that "He
"hath good reason to believe it to be near the
"truth."

To this statement of the learned and able prelate, it was objected, that it could not be accurate, but must have been formed in error. But surely great credit was justly due to it: since, from his Lordship's high rank in the Church, his long residence in one of the Universities, and his known indefatigable industry and research, it must be allowed, that he enjoyed the fairest and most probable opportunities of acquiring correct information on (what may be called in regard to him) a professional point: and since, from his acknowleged integrity of mind, and firmness of spirit, he would have disdained to have given to the world, as true, intelligence, which he had either suspected, or known to be false.

But whatever degree of credit might have been attached to it at the period of its publication, it must necessarily have ceased long ago. The Revenues of the Church have been gradually and largely augmented between the last thirty and forty years, through improvements in the science and

practice of agriculture, the high price of agricultural produce, and the consequent great rise in the landed rental.

The Revenues of the Church of England are derived from, reserved rents in corn or money or both conjointly, fines on renewals of the leases of the Church estates, Glebe and Augmentation lands, Tithes by composition or in kind, surplice fees, and some other sources of inconsiderable emolument.

To ascertain the probable present amount of them, (for there are very few data sufficient for forming any accurate calculation,) it will be necessary to state the several proportions of them presumed to be in the possession of the Bishops, the Cathedral and Collegiate Churches, and the parochial clergy.

Without entering into the particular modes of ascertainment used for these purposes, the gross revenues of the Bishops may be stated at about £130,000 per annum; which gross amount is however so greatly diminished, by an infinity of unavoidable deductions, in payments of salaries, pensions, &c. &c. to numerous diocesan officers and others, in repairs of episcopal residences, and in a variety of charges and outgoings more or less incident to every See, that the nett revenue does not probably exceed £105,000 per annum.

This nett revenue belongs to the several Sees, in larger or smaller proportions; and that proportion belonging to at least one third of them, is so inadequate to the dignified support of the high and

important episcopal situations, that some lucrative preferments are always given in commendam, in order to make up an income requisite for the appropriate establishment of every Prelate.

Upon comparing the present incomes of the Sees with the valuations of them in the King's Books *, (including the valuations of the several dignities and livings, annexed to them since the time of Henry 8th,) it will be found, that, during the intervening years, the episcopal revenues have increased in the proportion of nearly five and a half to one; the valuations of the Sees in the King's Books, and of the dignities and livings since annexed to them, being about £24,000 per annum: which comparatively small increased value of the episcopal revenues will require a short explanation; as an idea generally prevails, that all the ecclesiastical revenues of the kingdom have increased, during the above period, in the proportion of at least ten to one.

It is certainly true, in respect to the average of the revenues of the parochial Clergy; but, in respect to the revenues of the Bishops, Deans and Chapters, and other Dignitaries in the Church, it is, as certainly, incorrect. This material difference, between the progressive increase of the revenues of the Episcopal and Dignified Clergy, and those of the Parochial Clergy, may be attributed, to the considerable, fraudulent and forcible alienations of the Episcopal, and Cathedral and Collegiate lands, previous to the statute of first of James First; to

* Liber Regis, by Bacon, 1786.

the gradual loss of them, continually accruing from the want of proper surveys and terriers, ascertaining the quantities of land in the occupation of the lessees of the Bishops and Dignitaries; and to the notorious spoil and plunder of the Church lands, during the confusion and anarchy, preceding the Commonwealth, and afterwards by its connivance. Add also to these causes, that the revenues of the Bishops in particular, arise from a variety of ancient fixed payments, (as, amongst others the tenths of their Clergy, in many instances, forced upon them, in sad exchange for their best and most desirable estates,) from which they cannot deviate, and which, from the decrease in the value of money, have lessened and dwindled away, comparatively to nothing.

The Deans and Chapters, with the several Cathedral and Collegiate members, have not been more fortunate in preserving undiminished the possessions with which they were endowed at the Reformation; nor much more successful in improving the revenues of those, which they still enjoy. They, like the Bishops, are only tenants for life, have experienced, as already said, similar losses from similar causes, and are under nearly the same restraints; so that, though the valuations of the endowments, originally granted to them, and of the impropriations since annexed to them, may amount in the King's Books to 38,500l *, per

* To the dignities in the thirteen Cathedrals of the new Foundation, and in the Collegiate Churches of Westminster and Windsor, no valuations are affixed in Liber Regis, on ac-

annum, yet their gross annual revenues do not at present exceed, collectively, 275,000l; and that, when compared with their valuations in the King's Books, they have increased, since the reign of Henry VIII. in the proportion of seven to one only.

There are, it must be acknowleged, some noble and wealthy foundations, as Durham, Westminster, Windsor, &c; but there are also a much greater proportion of others, originally poorly endowed, or subsequently empoverished, as Saint Asaph, Bangor, Carlisle, Chester, Saint David's, Landaff, Norwich, Peterborough, &c. &c. Besides great allowance is to be made on account of those dignities, which are not endowed with any lands, or corpses as they are called, and whose valuations are notwithstanding included in the before stated £38,500: in particular, the Arch-Deaconries; one half of which appear to have no endowments annexed to them, and whose incomes must, therefore, solely proceed from the procurations of the Clergy, and from the fees of office, throughout their respective

count of an annual rent-charge in lieu of all first-fruits and tenths. In forming therefore the above stated aggregate valuation of 38,500l, it was necessary to adopt (from Tanner's Notitia Monastica, by Nasmith,) the valuations of the Priories, which were refounded or converted into those fifteen Cathedral and Collegiate Churches. But, as it seems, that out of the Revenues of the Priories at Bristol, Chester, Glocester, Oseney and Peterborough, endowments were allotted to the new Sees at Bristol, Chester, Glocester, Oxford, and Peterborough, the valuations of those Sees in Liber Regis, are deducted out of the valuations of the before mentioned five Priories.

jurisdictions, and necessarily be incapable of improvement.

The English Dignified Clergy consist of 26 Deans, 60 Archdeacons, and 544 other Cathedral Dignitaries; in all, 630 *. But, to this statement are to be added, as it is presumed, the collegiate foundations of Westminster, Windsor, Brecknock, Southwell, and Rippon; making the existing Cathedral and Collegiate Churches thirty-one in number, and adding greatly to the enumeration of the individual members.

Of the whole number, about one-third are formed into the corporate bodies, called Deans and Chapters; and, being possessed of the largest share of the gross Cathedral and Collegiate Revenues, the several members are individually in the receipt of considerable incomes in various proportions. The remaining two-thirds of the Dignitaries have, generally, little connexion with the Chapters or Capitular Bodies, but manage the peculiar concerns of their respective Dignities, as sole-corporations, and are variously benefited by their much inferior incomes.

Exclusive of these Dignitaries, there are in every Cathedral and Collegiate Church, other members of a subordinate nature and rank, under the denomination of Minor-canons, Priest-vicars, Vicars-choral, &c. with many more in still lower situations, all in holy orders, and whose total number may amount to nearly 300: these, as well as the

* Camden's Brittannia, by Gough, vol. 1. Introduction, p. 190.

superior Cathedral members, have a portion of the collective Cathedral and Collegiate Revenues, and and derive from their appointments, incomes in various moderate proportions. And in addition to these, there are also to be found, in every Cathedral and Collegiate Church, a far greater number in the aggregate, of lay-officers, in the capacities of organists, singing-men, choristers, vergers, sextons, &c. &c., with schoolmasters, free-scholars, alms-men, &c. &c. &c.; all whose emoluments are included in the revenues of the capitular bodies.

And thus, when it is advanced, that the Cathedral and Collegiate Revenues amount to the gross sum of 275,000 *l.* per annum, it must not be forgotten, that probably not less than 2,000 persons partake of those Revenues in a greater or smaller gradation.

The Parochial Clergy have been more fortunate and successful, than either their Episcopal or Dignified Brethren. Their revenues, being chiefly dependent on the state of landed property, whosoever might be the possessors of it, have been necessarily more augmented, by the increased value of the rental of that property; and their rights and claims, not being of a fleeting nature, but immovably affixed to the soil of each parish, have suffered little diminution, except from the easiness, inattention and neglect of the Clergy themselves.

There are in England and Wales, 5,098 Rectories, 3,687 Vicarages, and 2,970 Churches which are neither rectorial nor vicarial; in all, 11,755

Churches*. These churches are contained in between 10,000 and 11,000 parishes†; and probably after a due allowance for consolidations, &c. they constitute the Churches of about 10,000 Parochial Benefices.

Of these Rectories, many are without doubt highly valuable. The same may be said in respect to some of the Vicarages, from being possessed of large glebes, or large endowments, or from both causes united. However, there are many Rectories, and Vicarages in particular, whose tithes are wholly impropriated, and without even any parsonage house. And of the Churches, which are neither rectorial nor vicarial, a large proportion are merely Chapels of Ease, and appendent to some extensive and valuable benefices, or else built on speculation in the populous parts of the kingdom, in which districts they are chiefly to be found: and of the remainder of these Churches, about 1,864 in number‡, to which neither houses, glebes properly so called, nor most commonly tithes, seldom belong, their annual incomes must necessarily be very inconsiderable and incompetent.

Indeed, there are numerous instances of so great

* Archdeacon Plymley, from Liber Regis, in his Charge to the Clergy of Salop, 1793.

† Preliminary Observations (p. 13. and 15.) to the Population Returns in 1811; where the Parishes and Parochial Chapelries are stated at 10,674.

‡ Diocesan Returns, in 1809, of Livings under 150*l.* per annum; in which these Churches are readily to be ascertained, having never been in charge in the King's Books.

a deficiency in the incomes set apart for the Parochial Clergy, either from the small size of the parishes, or from the almost total deprivation of the clerical income, that it hath been found absolutely expedient to unite the incomes arising from two or three parishes *, to produce an adequate maintenance to an officiating Minister; who it is greatly to be lamented, from being engaged in the care of so many Churches, can scarcely find time to officiate properly in any one of them. And this circumstance will be the more credible, when it is recollected, that, at the establishment of the Fund, called Queen Anne's Bounty, in the beginning of the last century, for the augmentation of Poor Livings, there were 5,597 Livings, (considerably above one half of the whole number,) whose incomes did not exceed 50*l.* per annum, and were thus classed.

£.	LIVINGS.
Not exceeding 10	1071
..... 20	1467
..... 30	1126
..... 40	1049
..... 50	884
	5597 †

* The average value of the 660 Parochial Benefices in the extensive county of Lincoln, was stated in 1799 at only 70*l.* per annum. (Young's Agricultural Report, p. 54.) And in Norfolk and Suffolk, the Bishop of Norwich has the privilege of granting personal unions of Parishes, on account of the small values of the Benefices.

† The values of many other small Livings that were omitted, were afterwards certified to the Governors of Queen Anne's Bounty.

It must be acknowledged, that all the Livings in the five classes, have been more or less increased in value, not only by the augmentations, which have been made to them, but from the rise of Tithes also, consequent on the improved state of lands and agriculture. But it must be equally acknowleged, that very few of the highest class of these Livings are even now to be esteemed such an adequate provision, as to leave the Ministers of them disengaged from the solicitude of providing for themselves and families: which is an happiness, that falls to the lot of a very small portion of the Clergy, from the general inadequacy of their parochial incomes *.

* "There are often claims on the Clergy from poverty and misfortune, to which perhaps they are obliged from the necessities of their own families to turn a deaf ear; or if the heart gives, the purse denies: they are subjected to numerous privations and disqualifications, which Laymen who can launch out into business never know; their education is expensive, and their returns at best but slow, and most commonly inadequate to their comfortable support. Their profession renders them objects of respect; but they ought not to be objects of pity also!"

Again, "The Clergyman is often the only man in a parish, who is precluded from any honest means of improving his fortune; and yet he is too frequently the only man who is envied for the little he has obtained. A Living of 300 or 400*l.* a year, in the present times, is sufficiently small for a gentleman and scholar; and yet few, very few, comparatively speaking, have half that income; whilst those persons who are engaged in trade and commerce, by honest industry alone, will realize annually more than a Clergyman has to subsist on." Berk's Agricultural Report, 1809, pp. 96, 98.

And to the accusation, which the adversaries of the Established Clergy are too fond of advancing against them, that the gradations of orders and preferments in the Church produces servility, that its opulence increases sluggishness, and its constitutional establishment engenders indifference, and that to the patronage and protection of the great, the Clergy sacrifice their piety and independence; it may be replied in the animated eloquence of a most able and sound writer, "I might "tell our accusers, in defence of the gradations of "our calling, that to candid inquiry their loftier "and more invidious degrees will appear happily "adapted at once to reward theological talent and "exertion in their possessors, to excite emulation "and activity in the inferior Clergy, and through "the homage which usually follows greatness to "diffuse respect over the whole. But I restrain "myself to the fact, which forms the general basis "of their allegations, (shall I add the mistaken "object of their envy, and their ambition?) the "opulence of the Church. The opulence of the "Church! Alas, for the misnomer! Is it not "cruel irrision, which they intend by this per-"version of language? Is it not in wanton mockery, "that they direct the glance to a few bright spots "(the brighter from the shade, by which they are "surrounded) the splendid rarities of the pro-"fession, which scarcely one in a thousand may "hope to possess; and then, regardless of the "numbers placed in that shade, affect to turn "their eyes from the glare? or are they indeed

"ignorant, that, notwithstanding the unceasing "operation of the excellent fund entitled Queen "Anne's Bounty, and the occasional liberality of "the legislature, (which, amidst the financial em- "barrassments of a most expensive warfare, has "neglected no claim of justice, of humanity, or of "charity,) out of 10,000 English benefices, above "1000 are under 50*l.*; upwards of one-fifth under "80*l.*, nearly one-third under 100*l.*, and about "4000 under 150*l.* a year? And is this the inex- "haustible exchequer of Church-bribery, to tempt "and to remunerate our base obsequiousness? Is "it hence, that issues the thrilling voice, which "can pervade ears deaf to the calls of duty, of "compassion, and of character*?"

Before the publication of the document alluded to in this extract, an idea had widely prevailed, that, as a few rectories in the fourth and fifth foregoing classes, through some local circumstances, had been greatly increased in their incomes, therefore, all the Livings in the several classes had likewise been increased in similar proportions.

But the authorized inquiry made by the Bishops in their respective Dioceses in the year 1809, proves, that, notwithstanding a century has elapsed since the certification of 6000 Livings under 50*l.* per annum, yet so slow has been the progress of improvement in those Livings, even with the assistance of Queen Anne's Bounty, and the contributions of benevolent individuals, that only one-third of them are now above 150*l.* per annum;

* Wrangham's Assize Sermon at York, July 24, 1814.

and that there are existing at this time almost 4000 Livings under 150 *l.* per annum: which being thrown into 15 classes, and calculating at the mean proportion of each class, that is, at 5, 15, 25 *l.* &c. will shew, that the gross income of the whole 4000 Livings does not exceed 318,790 *l.*, or 80 *l.* per annum on the average.

THE Number of Livings under the Value of 150*l.* per annum: certified to the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy, by the Archbishops and Bishops of their respective Dioceses; in pursuance of Directions from his Majesty's Principal Secretary of State for the Home Department; so far as the same have been certified.

DIOCESES.	Not exceeding 10*l.*	From 10*l.* to 20*l.*	£. 20 to 30	£. 30 to 40	£. 40 to 50	£. 50 to 60	£. 60 to 70	£. 70 to 80	£. 80 to 90	£. 90 to 100	£. 100 to 110	£. 110 to 120	£. 120 to 130	£. 130 to 140	£. 140 to 150 exclusive.	Total Livings already certified in each Diocese.
St. Asaph	—	—	1	2	5	2	5	5	5	4	2	3	6	—	4	44
Bangor	—	—	6	4	8	4	12	5	6	—	5	3	—	5	1	57
Bath and Wells	—	4	9	8	11	3	10	10	11	11	8	19	9	7	10	135
Bristol	—	1	5	3	4	10	3	5	9	8	8	7	7	7	7	84
Canterbury	—	—	5	3	4	10	7	3	9	8	9	7	8	4	4	86
Carlisle	—	—	3	12	18	10	7	14	4	5	3	4	4	7	2	88
Chester	—	4	12	24	48	42	47	35	41	42	30	24	15	9	4	377
Chichester	—	1	9	6	4	7	2	5	8	14	7	4	10	—	—	77
St. David's	2	8	24	35	44	46	35	35	27	21	24	19	7	14	6	347
Durham	—	—	2	2	11	9	10	9	6	13	3	5	5	1	1	77
Ely	—	—	2	3	6	7	5	6	6	5	7	4	5	5	11	72
Exeter	—	3	6	11	14	18	15	7	11	11	11	18	10	12	7	154
Glocester	—	—	4	10	9	14	12	5	3	6	6	11	4	2	3	89
Hereford	—	1	4	17	19	13	9	11	6	12	8	12	8	12	3	135
Landaff	1	4	8	23	22	12	19	12	7	8	6	11	2	5	5	145
Litchfield, &c.	3	9	10	37	46	41	24	17	21	18	17	15	13	10	8	289
Lincoln	—	10	16	37	49	46	54	37	36	44	46	36	41	41	37	530
London	1	—	2	5	—	4	6	6	12	4	11	10	8	5	5	79
Norwich	3	6	14	25	26	27	27	17	15	17	15	23	20	16	21	272
Oxford	—	2	11	10	14	10	6	6	10	6	6	6	4	3	3	97
Peterborough	1	2	1	5	4	5	4	8	4	10	4	13	4	10	2	77
Rochester	—	—	—	—	—	—	—	—	—	—	—	2	2	2	—	6
Salisbury	—	4	3	6	8	10	13	5	6	11	7	12	13	13	7	118
Winchester	1	4	8	9	7	5	7	4	6	5	5	8	9	2	3	83
Worcester	—	1	2	4	9	6	5	3	5	2	5	7	8	3	4	69
York	—	8	24	52	48	41	32	39	35	30	30	24	24	12	12	411
TOTAL	12	72	191	353	433	407	376	319	309	315	283	307	246	205	170	3998

The accuracy and integrity of this official document has not simply been called in question, but the returns upon which it is founded, have been stigmatized, as "a gross and palpable imposition upon the Bishops, and upon Parliament*." But most probably, with little reason, upon a close examination of the respective returns; which in some Dioceses are most particularly specific, and in the others sufficiently descriptive and exact in the incomes of the Benefices: so that, on the whole, the returns, with few exceptions resulting from error or ignorance, afford a most evident proof of the poverty of four-tenths of the Parochial Clergy.

If any inaccuracy may be justly attributed to the returns, it ought to be in respect to the number of the Livings; which might, and ought to have been, much augmented. But private pique, prejudice, interest, and influence, prevented the return of a large number of Livings; and many others were withheld, through an unwillingness to discover the inconsiderable and shameful compensations, which had been made for officiating, in Churches, without any regularly appointed or licensed Ministers, and in the Churches of Parishes wholly impropriated, wherein the officiating Minister is intirely dependent on the generosity or penury of the impropriators or their lessees.

But, notwithstanding the great inadequacy of income in so large a portion of the Parochial Clergy,

* The State of the Established Church, 1810, p. 93.

it is very much to their credit, that few examples have occurred of their endeavouring to raise the incomes of their benefices, beyond an equitable standard. This is an odium, which they do not generally deserve, as hath been acknowledged by even those, who are employed in effecting a change in the long-established mode of their provision.

Sometimes it is true, it unfortunately happens, that, though desirous of continuing the peaceable Preachers of the Gospel, they are compelled to have recourse to the laws of their country, to enforce those rights, with which their own support and maintenance are most intimately connected, and from which they cannot recede without injuring their successors. And, in vindication of the Clergy, it ought to be remarked, that, in all the various causes, introduced into the Courts of Law or Equity, in support of their parochial dues, very few decisions have been given against them; which undeniably proves, that they have not, arbitrarily or wantonly, hurried their adversaries into expensive and unnecessary suits, but upon principles of self-defence, and of justice towards their successors *;

* "I hope I shall not be considered as too partially vin-
"dicating my Brethren of the Church, when I say, that in
"most disputes with regard to Tithes of all descriptions,
"where all proposals of accommodation have been con-
"temptuously rejected as extravagant, unfair, and even il-
"legal, and they have been compelled by the imperious
"and unreasonable conduct of their opponents to claim the
"protection of their country at a great individual expense,
"they have nine times out of ten prevailed against their ad-

The perusal of the following cases "will convince all unbiassed readers, how unjustly the "Clergy have been charged with a litigious disposition, in having acted contrary to the meekness and forbearance, enjoined them in the "Holy Gospel, in suing their parishioners for the "recovery of their tithes. It will appear by "these papers, that a Parson has a right to appeal to the laws of his country, for withholding "his tithes from him, be they of ever so inconsiderable an amount. And, sure, when the "Clergy have found their predecessors hardly "treated by their parishioners, it became a duty "to themselves, their families and their successors, to sue, even in opposition to the commands "of the Gospel, if such procedure can be considered, as a disobedience of the divine precept. "These sheets will shew, that the hand of proud "oppression hath been exerted to deprive the "Parson of his due, and his parishioners encouraged to insult him."

"versaries, and fully established their disputed claims. I "I have not arrogantly or inconsiderately made this observation, (which may be amply confirmed by the existing "records of the Courts of Chancery and the Exchequer,) to "elevate my brethren above their real and merited deserts; "but with the honest and manly view, and I say most "avowedly so, with all my humble talents, to screen and "defend them from that indiscriminate obloquy and severe "reproach, which has ever, more or less, been unjustly and "illiberally cast on their order." Prize Essay on the Commutation of Tithes, by the Rev. James Willis, of Copley, Hants, in the Bath and West of England Society Transactions. Vol. 13. part 2. p. 263.

Again, "The reader will find the Parson strug-
"gling with becoming spirit against wealth,
"power, and interest, ungenerously employed for
"the oppressive purpose of defeating him of his
"rights, by throwing every expense in his way,
"and all the obstacles arising from the law's de-
"lay; but that his opponents, though great in
"titles and honors, have been covered with shame,
"from a detection of the most mean and scanda-
"lous manœuvres, as would disgrace the petti-
"foggers of the law in chicane, duplicity, igno-
rance and oppression*."

Again, "The most sceptic reader must be con-
"vinced, that the Rector demands his tithes, as
"his legal property and inheritance, of common
"right; and the Vicar, by virtue of his endow-
"ment, or by prescription or usage: and that,
"consequently, they both have a most just, equal,
"and apparent claim to the coercion of the civil
"power, to recover such their lawful dues, as
"much as any heir of the kingdom, when the pos-
"session or enjoyment of any part of his pater-
"nal or other estate, is illegally detained from
"him. So that, the popular clamor raised against
"this reverend body of men, cannot have origi-
"nally proceeded from a want of, or defect in
"their title to such demands; no, the very con-
"trary hath been the sole cause of their injurious
"treatment: for, the indisputable clearness of
"the Clergyman's title to tithes hath occasioned

* Rayner's Tithe Cases, 1783, vol. 1. preface, p. 6, 7.

"all the malevolent complaints made against "them; which have been propagated by design- "ing men, interested to vilify their sacred cha- "racter, in order to conceal their own iniquitous "practices, for the shameful purpose of cheating "and robbing the Clergy of the only subsistence "provided for them, and which is allowed them "both by the laws of God and man *."

But, so far are the great body of the Clergy from exercising, to the utmost, the rights which are sanctioned to them by the laws of the kingdom, that it must be granted by every man of candor, that they use them with becoming moderation; that the compositions for tithes are paid, customarily, in proportion to rent, and not to real value, and, though different in different parts of the kingdom, are most commonly not unreasonable; and that, where the highest compositions are paid for great and small tithes, they almost constantly take place in impropriate parishes, proceeding, from the Impropriators not having similar reasons with the Clergy for lenity in their demands, and from the difficulty of settling the proportionable value of the tithes, belonging to the Impropriators, and to the Vicars of such parishes; by which means, the landholders are liable to pay an increased composition for both. In thus vindicating the Clergy, indirectly, at the expense of the Impropriators, it is not meant to throw any stigma upon the Impropriators, because, for the

* Rayner's Tithe Cases, vol. 1. Introduction, p. 136, 137.

most part, they are not guilty of oppression; though it is to be feared, that some of them have not borne their faculties, in every instance, with so much meekness and self-denial.

From an estimate formed on an approximation of the Incomes of a very extended number of Livings, whether of large or small value, situated in every part of the kingdom, and collected within the last seven years, the gross amount of the revenues of the parochial Clergy from the before mentioned 5,098 Rectories, and 3,687 Vicarages, (all of which were originally included in the valuation of Henry the VIIIth,) may be stated at £2,339,770; to which is to be added, from the Diocesan Returns, the amount of the Incomes of the 1864 churches or benefices, neither rectorial nor vicarial, and never in charge in the King's books, at £117,432: making the total amount of the annual revenue of the parochial Clergy £2,557,202, and averaging between the three gradations of parochial Benefices, (taking them, with all consolidations included, at 10,000,) an income of £255 each *.

* Near a century ago, "the States of Holland thought "£100 a year the least which a Clergyman unmarried "ought to be allowed; and none of those who were married "had less than £150; and in their capital City, every one of "their Established Church had a certain income of £300 "a year. They had not indeed so much salary from the "States, but their stated and fixed presents, as certain as "their salary, made it amount to that sum; and their wi- "dows were allowed pensions. Pudet hæc opprobria nobis, "&c. Was the Dutch Church preferable to the Church of

In this statement of the aggregate revenue of the parochial Clergy are included the annual rent or value of the lands purchased by Queen Anne's Bounty Fund, and the annual interest of the sums appropriated for the augmentation of small livings and not yet invested in land.

The establishment of Queen Anne's Bounty Fund took place in 1703, on her Majesty's relinquishing the first-fruits and tenths, to create a fund for the augmentation of the numerous small livings in England and Wales. And, though the gross average produce of the first-fruits and tenths amounted to nearly £15,000 per annum, yet it was so greatly burthened with annuities and other incumbrances at that time, together with the charges for receipt and management, that the governors were not enabled to proceed to the augmentation of any livings before the year 1714.

Since that date, to January 1st, 1815, inclusive, the Governors have made out of their Fund, by lot, and in conjunction with benefactions, 7323 augmentations, at £200 each*, and amounting to £1,464,500; and to which are to be added, £353,267. 11s. 11d. received from benefactors during the same period: making the total amount of

" England? Were their clergymen men of more merit? " Did they deserve better of the government, and of the " nation? or, was every thing so much dearer in Holland, " than in England?" Webster's Clergy's Right of Maintainance, 1726, p. 78.

* One augmentation, in 1809, was only £100.

the money appropriated by the Governors for augmentations, £1,817,776. 11s. 11d.

Of this sum £1,501,872. 9s. 5d. have been invested in land; and the remainder £315,904. 2s. 6d. continues in the possession of the Governors, and vested by them in government securities, and in private mortgages authorized by parliamentary sanction: and the Governors allow only two per cent. interest, (the surplus of interest received by them being applied to the augmentation of small livings, and by means of which, 782 augmentations have been made since 1786,) in order to induce the incumbents, to whose livings augmentations have been made, to look out for purchases, and thereby increase the product of their augmentations.

To the great and lasting credit of the benevolently-minded people, with which God hath been graciously pleased to bless these kingdoms, it is to be mentioned, as a debt of justice and gratitude on the part of the parochial Clergy, that of the money hitherto applied to the augmentation of small livings, almost one-fifth part has been contributed by benefactors in money, for the augmentation of livings named by them; and that numerous benefactions have been likewise given, in houses for the residence of Ministers, and in lands, tithes, and rent charges, for the increase of the incomes of small benefices; and many stipends to the Clergy, before uncertain, have been made permanent.

The income, arising from the amount of augmentations and benefactions remaining in the

possession of the Governros, at two per cent. interest, is £6,318 per annum. And the income arising from the augmentations invested in land, (one-third part of which was laid out in purchases before 1765,) cannot be estimated, at present rents and prices of produce, as yielding less than 6 per cent. on the average; and it is well known, that many of the augmentation purchases, from improvements, local circumstances, &c. &c. yield a much higher rate of interest, even eight, ten, and twelve per cent. It is not therefore unreasonable, (and more especially as we are assured on the authority of a Governor twenty-five years ago, that the purchases had been well made in general*,) to state the income derived from the augmentation lands purchased to January 1st, 1815, inclusive, as amounting to £90,112 per annum.

And thus, with the interest of the augmentations not yet invested in land, and with some allowance for the annual value, also of the benefactions in houses, lands, tithes, and rent charges, the incomes of the 6000 livings formerly returned as not exceeding £50 per annum, may (through the operation of Queen Anne's Bounty Fund, whose nett income from the first-fruits and tenths scarcely amounts to £11,000 a year) have been increased about £100,000, or £16. 13s. 4d. per annum each on the average †. And it appears, that of the

* Bishop Barrington's Letter, 1790, before cited, p. 22.

† The foregoing particulars relating to Queen Anne's Bounty Fund are abstracted from the Reports of the Governors, presented to Parliament in 1803 and 1815; and the

6000 livings under the old return, notwithstanding the increase of income arisen in the course of a century from the improved value of the lands, tithes, &c. with which they were originally endowed, and with the addition of the average augmentation from Queen Anne's Bounty, 4000 of them, according to the new return in 1809, were still under £150 per annum; and, as before estimated, the annual average income of them did not amount to £80.

But, in consequence of the slow and almost inefficient operation of the fund of Queen Anne's Bounty, in conjunction with the benefactions of private individuals, there was granted to the Governors, by the Parliament in 1809, the sum of £100,000, to be employed by them in furthering the object of their original fund: And similar grants have been also made in 1810, 1811, 1812, 1813, and 1814, with an understanding that they would be continued at least for some years. And by means of this most necessary, generous, and honorable aid, the Governors have been enabled, to January 1st, 1815, inclusive, to make 2,270 augmentations, of £200 each by lot, and of £300, in conjunction with benefactors.

Of these augmentations by the parliamentary grants, those in the year 1810, were made on the

following particulars relating to the parliamentary grants, in aid of that Fund, are taken from the Governors extended Report in 1815, and from their accounts, laid annually before Parliament, of the appropriation of the parliamentary grants.

basis of the old returns of the small livings in Queen Anne's reign. But since that year, the Governors have employed the parliamentary grants, in augmenting the livings under £100 per annum, according to the new returns in 1809, to £100 and £110 per annum, "by appropriating so many "sums of £200 to each living, as the circum-"stances of each case; in regard to population, "duty, and income, rendered expedient, calcu-"lating the interest of the augmentations at 5 per "centum, per annum."

In making these 2,270 augmentations, the Governors have appropriated £473,900 out of the first five years' grants *, together with benefactions amounting to £37,450. But, of the total amount, namely, £511,350, through the shortness of the time for investing so large a sum in small portions of landed property, they have been enabled to invest in land £62,969. 19s. 1d. only: the remainder is therefore vested in the same before-mentioned government and other securities, and the interest of it, at the rate of 5 per cent. paid to the respective incumbents.

The total number of augmentations, made by the fund of Queen Anne's Bounty, and by the parliamentary grants, to January 1st, 1815, is 9,593: And the total number of the livings augmented

* The Grant of 1814 was not received until January 1815, and therefore is not included in the Governors' Report of 1815: but it had been invested in stock, for subsequent appropriation.

is 4,913. The number of the livings augmented is necessarily less than the number of augmentations; because the smaller livings have had the benefit of two, three, four, or more appropriations, to bring them nearer to an equality with those of greater value. Of the augmented livings, 3,119 have had their augmentations vested in land; and of the remaining 1,794, their augmentations remain in the possession of the Governors, who pay (as before mentioned) 2 or 5 per cent. interest on them, according as the augmentations may have proceeded from Queen Anne's Bounty Fund, or from the parliamentary grants.

The late munificent assistance from parliament, in order to increase the incomes of the small livings to £150 per annum, must be gratefully admitted as a strong testimony of the good will of the Legislature towards the established Clergy. But, as 4,000 livings were returned in 1809, whose average incomes, scarcely amounting to £80, require an annual addition of £280,000 to raise them to the proposed sum of £150, it is evident, that, to complete the benevolent intentions of the Legislature, these annual grants must be continued for fifty-six years; as the interest of fifty-six grants of £100,000 or £5,600,000, at 5 per cent. interest, amounts to £280,000.

It has been objected to the fund of Queen Anne's Bounty, that, like many other excellent and benevolent institutions, its operation has been attended by a consequence counteracting its original principle, and perhaps not foreseen, or at least not

hitherto sufficiently regarded. That is, whilst on the one hand, the design of the institution is to increase the incomes of the small livings, the execution of that design, on the other hand, does in fact continually increase the number of those small livings, and thereby extends the scope of its action, instead of contracting it: because, that on the augmentation of any chapels appendent hitherto to mother-churches, such chapels are *ipso facto* separated from them; and being constituted perpetual Cures, become independent parochial Benefices, with inconsiderable incomes, and deprived possibly, wholly or in part, of the salaries heretofore paid for officiating in them. It would therefore, perhaps, have been more advisable to have prevented any such separation, and to have even strengthened their connection with the Mother-Churches, by allotting the augmentations from Queen Anne's Bounty to the officiating Ministers in such chapels, over and above such salaries, to which they should be legally entitled as stipendiary Curates.

Other objections have been made to the consequences resulting from the operation of Queen Anne's Bounty Fund; whose income, it must not be forgotten, does not create any national expense but arises, exclusive of voluntary benefactions, from a kind of tax or rent-charge, payable out of the chief ecclesiastical preferments in the kingdom.

Of these objections, those mostly insisted on, and scarcely deserving notice, are that, in a course of years, all the small freeholds will be virtually

annihilated, by being converted into Church Lands, and consequently thrown into a state of mortmain; that the numerous class of little farmers will be materially injured in carrying on their occupations, through the want of tenements adapted to their finances, and by the cultivation of which, they are enabled to live in a comparative state of decency and comfort themselves, and to add to the plentiful subsistence of the neighbourhood around them; and that the augmentation lands, whether in the occupation of the clergy or their tenants, are at present from the peculiar uncertainty of their tenure, in the most unimproved and unproductive state of any lands in the kingdom.

Upon a presumption, that the consequences of the progressive improvement of the poor livings by Queen Anne's Bounty Fund will be the annihilation of the smaller freeholds, it is asked, Will that prove any loss to the nation at large, or to the individuals of it? Without meaning to decry the utility of farms upon a moderately small scale, which certainly tend to multiply the minor agricultural products, or to abridge the comforts and conveniences of the numerous class of people to whom small farms are adapted, Are the freeholds, within the purchase of the allotments from this fund, more particularly calculated to contribute to the general national plenty, peace, and prosperity? Are such small freeholds or farms better cultivated, than larger ones; or, do they yield a greater produce, in proportion to their

size? Is not the reverse, in both respects, asserted by the advocates for large farms, to be more generally true? And, Do they not serve greatly to increase, if not to occasion, the confusion and tumult of certain popular meetings, and the shameful instances of subsequent corruption and iniquity?

Moreover, are not the proprietors of such small freeholds, from the idea of having a landed property, too frequently tempted to be idle and extravagant? and, if not, what degree of substantial aid, what more than mere credit, do they derive from such small possessions? Or, are the renters of them more happy, more comfortably circumstanced, or more decently cloathed, than those who, in the same rank of life, are only day-labourers, and renters of a cottage? Do not the renters of such inconsiderable tenements fare and work harder, to keep up external appearances, and to enable them to pay the high rents which are always demanded for, and the other outgoings which fall so peculiarly heavy on, small occupations?

"Farms of £20 or £30 a year, though a few "may be useful in some cases, as spurs to the "industry of saving labourers; yet these instances "will occur much more seldom than is commonly "supposed. Upon a great estate, minutely di-"vided, Sir Joseph Banks would have very rarely "an opportunity of placing such a labourer in a "farm, without turning out some widow or son of "a deceased tenant; so that in districts where "these little farms greatly abound, they do not

"operate in this respect in any thing like the "degree that has been stated by various writers. "And it should be further considered, that as the "occupiers of them are incomparably less at their "ease, yet working much harder than labourers, "it is much to be questioned, whether the mass "of human happiness is not considerably lessened "by such occupations. As to the effect of them "on the cultivation of the kingdom, no doubt can "be entertained of its evil tendency; and I have "had very many opportunities of remarking it in "the course of my journey through this coun-"ty*."

But, if small tenements or farms should be thought necessary to the class of little farmers, and the advantage of the nation at large, How is the number of them lessened, because the property of them is changed? Is it not a fact, that the operation of the fund of Queen Anne's Bounty is so far from really lessening the number of the smaller freeholds, that it acts as a great and most effectual mean of their preservation, by preventing them from being swallowed up in, and consolidated with the larger farms? And, Is it not a fact also, that scarcely one in fifty of the freehold tenements, which are purchased to augment livings, is or can be bought in a situation, occupiable by the incumbents of the livings to which they are annexed? Are not such small freeholds, then, still left open to the occupation of those, whose capitals they

* Lincoln Agricultural Report, 1799, p. 39.

may suit; and who, from the vanity of being esteemed land-holders, bind themselves to the hardest labor, to incessant toil, and to the scantiest fare *?

And, granting, that many small freeholds have been taken out of the circulation of landed property, by the operation of the Fund, yet the number hitherto, compared with the whole mass, is trifling, and cannot be, at present, injurious, or continue materially to increase, for any length of time. The income of the Fund is fixed, as well as the sum allotted out of it for every Augmentation; and, from the inconsiderable amount of that sum, and the great progressive rise in the value of land, it cannot be a very distant period, before no freeholds will be found sufficiently small for the sum to be laid out.

As to the charge brought against the Augmentation Lands of their being in a most unimproved and unproductive state, it would be wasting time to go into a general refutation of it. Against such a mere assertion, an appeal is made to those who reside in the neighbourhood of Augmentation Lands, and to all others who are competent and unprejudiced Judges, whether the small Farms of

* "In the Isle of Axholme, the proprietors of the little "farms, from four and five, and even fewer, to twenty, "forty, and more acres, do nearly all their work themselves; "and are passionately fond of buying a bit of land. Though "I have said they are happy, yet I should note, that it was "remarked to me, that the little proprietors work like ne-"groes, and do not live so well as the inhabitants of the "poor-houses; but all is made amends for by possessing "land." Lincoln Agricultural Report, 1799, p. 17.

the Augmentation Lands throughout the kingdom, do not commonly let at as high rents, as the farms in the adjoining districts of similar quantity and quality? consequently the Augmentation Lands must be in an equal state of improvement, and equally productive. Besides, as we are informed by the Bishop of Durham, (and no one acquainted with his Lordship's character will believe, that he made an incorrect or unfounded assertion,) that twenty-five years ago the purchases of the Augmentation Lands were known to have been well made on the average, as hath been already stated, and as we cannot suppose the original proprietors in general of those lands unguardedly sold them at an inferior valuation, it must be allowed, that the excellence of these purchases, the superior or equal value of rent of them, cannot be ascribed to their first cheap purchase, but to their subsequent improvement, and consequently of their increase produce, since they have been been vested in the possession of the Clergy.

CHAPTER THE SIXTH.

ON THE NUMBER OF THE ESTABLISHED CLERGY, AND THE AVERAGE OF THEIR INCOME.

FROM inquiring into the amount of the revenues, let us proceed to ascertain the number of the Established Clergy, amongst whom it is divided.

They have been variously estimated from 10,000 to 20,000: a medium, somewhere between both is most probably the correctest statement of them.

In a modern statistical publication *, the several ranks of the established Clergy in Great Britain and Ireland, have been estimated at 19,000. Of this number, 936 may be stated to belong to Scotland †: and 1,300 have been frequently mentioned in parliament as the number of the Clergy in Ireland; and which, with allowance for the superior ranks without parochial preferments nearly coincides with the enumeration of parochial benefices in that kingdom, namely, 1181 ‡. And, if to these two

* Colquhoun on the Wealth, Power, and Resources of the British Empire, 1814, p. 124.

† Singers, before cited, p. 5.

‡ Carlisle's Topographical Dictionary of Ireland; Ecclesiastical Establishment in 1807.

proportions for Scotland and Ireland, amounting to 2,238, an addition of about one-third is made for Curates, Assistants, Supernumeraries, or by whatever titles they are called in Scotland and Ireland, and making together the aggregate of 3,000, the remainder of the before estimated 19,000 as the Clergy of Great Britain and Ireland, must be considered as the number of the Established Clergy in England.

These 16,000 persons, whether beneficed curates or expectants, with their families and dependents, make up probably about 100,000 souls, reckoning nearly seven persons to a family on the average. However, as a part of the Clergy, like those of other professions, may be supposed to be single men, this computation at first sight may appear exaggerated. But when it is considered, that the Clergy are an exception to those of other professions, and are for the most part married men, with numerous families in general, the calculation, in estimating their body with each a family of seven persons, is neither rash nor ill-founded: for on computing rather more than two thirds, or 11,000 of them to be married men with families and dependents of eight persons each *, and the remaining 5,000 with one dependent each, the same gross-produce will nearly appear, namely, 98,000 persons.

And thus, taking the population of the kingdom at 10,000,000 of persons, the Clergy, with their fa-

* Each married Clergyman's family in Scotland, has been averaged at nine persons. Singers before cited, p. 10.

milies and dependents, are about one-hundredth part of the people.

It may be foreseen, that, upon this comparison of the number of the Clergy with the population of the kingdom, the adversaries of the Ecclesiastical Establishment will immediately exclaim against the enormous portion of the national produce, appropriated to the maintenance of the Clergy, exclusive of their lands, glebes and other various emoluments. A tenth part of the produce, for the support of one-hundredth part of the population! A most unreasonable and unnecessary proportion, and a most indecent claim!! And the exaction of it, the extremity of extortion, rapacity and oppression!!!

But, when the warm, compassionate, and disinterested feelings of such exclaimers are a little cooled and pacified, it may be suggested to them, that, though the parochial Clergy of the Church of England are endowed, by the positive law of the kingdom, with a tenth part of the annual national increase from land and animals, yet they do not receive any equivalent proportion of it, as will appear from proofs or statements, little short of demonstration, in the ensuing Chapter.

Under the Jewish Theocracy it hath been seen that the Priesthood enjoyed, by Divine appointment, a revenue judged equal to a fourth part of the whole landed and animal produce of Judea, though the service of the Priests was inconsiderable, and the relative proportion of their number to the body of the people, was only as one

to forty-seven. If, then, the Jewish Priesthood was endowed with an income, more than ten times as plentiful as that actually received by the Christian Priesthood in this kingdom, (which Priesthood is nearly equal in number to two-thirds of the Jewish,) what just ground is there to question or hesitate at the comparatively moderate established revenues of a body of men, who have ten times more duty to engage in, and of whom infinitely more important and lasting qualifications are required for the due discharge of that duty; whose attention is, in general, confined to the spiritual welfare of the people committed to their charge; who are, usually, reasonable in the compositions demanded in lieu of their legal dues; who bear their just and equitable proportion of all parliamentary and parochial taxes; and who are professionally prevented from engaging in any lucrative employments?

The collective revenue of the parochial Clergy, hath been asserted to be very unequally divided. And it is admitted, that, unfortunately for the general body of the parochial Clergy, the assertion is true; and that probably, a small number of them being possessed of a large proportion of the gross parochial revenue, the remainder, with few exceptions, seldom enjoy an income amounting to the before stated average of £255 per annum.

It hath been suggested, that the general revenue of the parochial Clergy should be more equally apportioned; and then, as Curates are now legally entitled to certain determinate sti-

pends, in proportion to the income of the benefice, and to the duties to be performed, the parochial Clergy would be more resident in their parishes; and indeed, if in the possession of a commodious residence and competent income, would seldom be non-resident, except in cases of absolute necessity. One consequence of which, amongst many others, would be, that the number of the Clergy would soon be materially lessened; and for the credit of the Church Establishment, there would be a much better provision for the whole body thus reduced; and, if this provision should be found still incompetent, it might, with the greatest ease and propriety, be augmented and made sufficient, by the incomes of the Cathedral and Collegiate Clergy; they seem to be of no essential service to religion or the state, and their revenues might be thus appropriated to a better use, after deducting a liberal allowance for the Arch-Deacons, whose office, like the Episcopal, ought to be continued, on account of its great utility. And thus, not only the Drones of the Church (as, through an affectation of wit, the Dignified Clergy have been illiberally termed,) would be annihilated, but the real labourers also in the ecclesiastical vine-yard, would be more comfortably supported.

This proposed plan of equalizing the incomes of the Parochial Clergy, and of adding to them at the expense of their dignified brethren, may present an imposing and laudable appearance in theory, though the advantages, to be expected

from the adoption of it, would not be realized in practice.

The gross revenues of the Cathedral and Collegiate Churches have been stated at £275,000 per annum. But it is to be recollected, that the landed and other property from which these revenues arise, are greatly scattered, and that therefore the management of the concerns relating to them, with the receipt of their rents and profits, must unavoidably be attended by much expense; and that, when an ample allowance is made out of them for the appropriate support of the Arch-Deacons, and for the dignified continuance of Divine Service in the Cathedral and Collegiate Churches, (unless indeed it should also be proposed to shut them up, and suffer them to drop imperceptibly into dilapidation and ruin,) the remainder of the annual receipts would scarcely amount to £200,000 per annum, and when equally divided between 10,000 parochial benefices, would add to their before-stated average incomes only £20 per annum: so that every Parochial beneficed Clergyman (through the equalization of the parochial incomes, and the annihilation of the dignified Clergy,) would enjoy an income of £275 per annum. An income, scarcely equalling the emoluments of Superintendents in professional offices, and still remaining subject to the payment of all parliamentary and parochial taxes.

And, Is this the magnificent advantage to be derived from the adoption of the proposal? Is this to be considered as an adequate compensation for

subverting (in the sublime expression of that able statesman, Mr. Burke,) "the Majesty of Religion?"

"Considering the different talents, natural and "acquired, of different Ministers; the different "degrees of ministerial capacity requisite for the "due discharge of the several offices existing in "an Established Church; and the utility of distinction and subordination in such Establishments; I cannot think, that many reasonable "men would be desirous of seeing all Church preferments reduced to the same level *."

So again, "It is my opinion, that the whole "revenue of the Church of England is inadequate "to the decent maintenance of all its Ministers, "even if it were equally divided amongst them; "a division, which neither could be effected "without doing injustice to Lay Patrons, nor "which ought to be effected if it could. I am no "friend to equality of order among the Ministers "of the Church, nor to an equality of provision "for the Parochial Clergy, since all the advantages of an Establishment may be obtained without such equality, and many disadvantages would "attend it †."

But, Is an income of £275 a year, adequate to the support of a man with a family, who certainly ought to live in such a decent and becoming stile, as will neither lessen his character and profession in the opinion of the world, nor necessarily

* Bishop Watson's Charge, 1791.

† Ibid. 1809.

deprive him of the means of exercising charity and hospitality? If it be sufficient for these ends, Is it sufficient also for the education of a family, or is it possible to save out of it such portions as are necessary for placing the members of that family, as they grow up, in a situation to maintain themselves?

Besides, How will the Clergy be materially reduced in number? As ten thousand Benefices will always require ten thousand Incumbents, we cannot suppose, that so many persons will, without exception, inherit such excellent constitutions, or without remission enjoy such health and strength of body, as never to require assistance in the discharge of their respective duty. It therefore cannot be imagined, but that (unless, in consequence of some secret cause derived from their holy profession, the Clergy are exempted from the infirmities of human nature,) instances will continually occur of the impossibility of the various parochial duties being properly or at all discharged, without the constant intervention or temporary aid of Curates. And, Is it unreasonable to state these fixed or occasional assistants, at all times, in the proportion of one to every five or six Incumbents on the score of inability; to which must be added a very considerable number of others, probably full as many more, necessarily employed in many hundred Benefices, on account of the extent of parishes, the pressure of duty, and the Chapels of Ease, which are so numerous in divers parts of the kingdom?

Stating, then, the annual income of every parochial benefice at the preceding highest computation of £275 each, every Incumbent would suffer, on the general average, a deduction of about £33 per annum, from possibly one living in three (or 3,333 * out of 10,000) being chargeable on various accounts with the annual stipend of a Curate at £100 †, which would surely be a very moderate compensation for the services of a man of liberal mind, manners and profession, and a poor return for a long and expensive education.

And, thus, at even the highest computation of the equalized income of the Parochial Clergy, and admitting the appropriation of the Revenues of Cathedral and Collegiate Churches, in order to its utmost augmentation, the income of each living would not exceed £242 per annum on the average.

It hath been objected by the adversaries of the Church of England, that, to the great disgrace and inefficacy of the Establishment, men of the most shining abilities and most exemplary conduct are not always those that prosper in the world; as, from an excess of sensibility, and a want of resolution, too often incident to such characters, being incapable of forwarding their own interests, they are for the most part neglected,

* Diocesan Returns, for 1811, state the number of Curates to be, 3,730.

† The salaries of Stipendiary Curates, under the late Act, will not eventually be under £100 per annum, on the average.

and, if not left to pine in obscurity and indigence, scarcely ever arrive at a state of competent ease and independence: whilst others, less deserving and less delicate in their applications, and their modes of pursuit, are far more successful, in acquiring valuable preferments, and even the highest dignities.

It cannot be denied, that instances of this kind do sometimes arise, and give occasion to hold forth the possessors of Ecclesiastical patronage to censure and reproach. But on what description of Patrons shall the stigma be fixed? On the Ecclesiastical, who, with the two Universities, possess a small share, comparatively, of the Church Patronage? Or on the Crown, who holds scarcely a tenth part of it? Or on the Lay-Impropriators, who are patrons of the greatest part of the benefices under £100 per annum? Or on the Lay-corporations or Lay-individuals, whose patronage extends to seven tenths of the whole *?

But the apparent neglect of deserving men is not to be attributed, in general, to the inattention or private interest of patrons, but is to be ascribed to a more extensive and more deeply-rooted cause; the incompetency of the Church to provide for all her sons: amongst whom, the meritorious being much more numerous than the preferments of value she hath to bestow, many of them must, of necessity, go without a sufficient reward and equal to their merits. And, though this may be

* Bishop Watson's Charge, 1809.

one of those bad effects, which the violent partisans of Church Reformation strenuously maintain to be, so plainly and immediately deducible from the unequal division of the ecclesiastical revenues; in the opinion of others, equal in respectability and superior in credibility from the great majority of numbers, this inequality is proper in itself, and is attended with many considerable advantages in its consequences, such as far outweigh every opposite interest.

A writer, who, from early custom and national prejudice, cannot be presumed to have been friendly to Religious Establishments on any large scale, says, that "the great benefices and other ecclesiastical dignities support the honor of the Church, notwithstanding the mean circumstances of some of its inferior members;" that "in England, and in all Roman Catholic countries, *the lottery* of the Church is much more advantageous than necessary;" and that "though ecclesiastical establishments might have first originated from religious views, they prove in the end advantageous to the political interests of society *."

If any credit may be given to the sentiments of this writer, and of many others of a similar way of thinking, the unequal division of the Revenues of the Church of England, and the utility of that part of its establishment, which comprehends the Dignified Clergy, may be justly defended; and it may be as justly doubted, whether the equalization

* Dr. Smith's Wealth of Nations, 1811, vol. i. p. 181, and vol. iii. p. 208.

of the incomes of the Parochial Clergy, even in the most improved condition of them, and the abolition of all Cathedral Dignities, would not prove highly detrimental to the interests, primarily of Religion, and eventually of the State. This at least is certain, that, in abolishing all dignities in the Church, we should at the same time check in the minds of the Clergy in general, all sense of emulation amongst them, and all desire of intellectual improvement, when they saw, that there were no superior emoluments to be bestowed upon persons of superior talents, more cultivated abilities, and more exemplary conduct, than upon those of inferior qualifications, less professional knowledge, and less conspicuous merit.

And the consequences of an abolition of the dignified and valuable appointments in the Church, would be felt, as soon and as much, as if all the great officers of the State intrusted with the government of the nation, were reduced to the same rank and salary with their clerks; and as if all the Generals, Admirals and superiors in the army and navy, were blended into one common mass with the subalterns, without any nominal or pecuniary distinction.

Besides, the equalization of the incomes of the Parochial Clergy, would gradually drive all men of rank, character, and ability, out of the service of the Church. For, who would willingly enter into it, on the prospect of reaping no greater income than £242 per annum? when, in trade or any other profession, with the assistance of a few

hundred pounds only, they might establish themselves (without such a loss of time, or such an expense in education, as is indispensibly requisite for the Clerical profession,) in a line of life far more lucrative and independent, and which from want of success they might decline, and improve their circumstances by a change in their occupation.

Lord Coke says, "The law hath great policy "in preserving the clerical property; for the de- "cay of revenues of men of holy church in the "end will be the overthrow of the service of God "and his religion: for none will apply themselves "or their sons, or any other whom they may have "in charge, to the study of divinity, when they "shall have, after long and painful study, nothing "to live upon *."

That men of the first literary abilities are, at present, amongst the servants of the Established Church, is acknowleged by those, who are studious to decry the education of youth, in the Universities of Cambridge and Oxford; who complain, that, if either of those Universities, or of the Colleges in them, should chance to enjoy the benefit of an able Professor or competent Tutor, it is only a temporary and short advantage, as the emoluments of the Church quickly draw them from those situations: whilst in other Universities, whose National Churches are more scantily endowed, this does not happen; their Professors and Tutors seldom quit

*. Coke's Reports, part 2d. Bishop of Winchester's Case, p. 45. a.

their Chairs, as they cannot find themselves more comfortably situated, in point of emolument, than within the walls of their own seminaries. And, that men of the first rank and families, also, are employed in the service of the Established Church, is evident from the number of them continually ordained into it.

If either of these two descriptions of men should find themselves necessitated, by any alteration in the Establishment, to decline the service of the Church, its offices would, consequently and insensibly, devolve upon those of meaner abilities and situations in life, to whom the emoluments of the Church, even upon a reduced plan, might still prove a sufficient inducement to undertake the duties of it: and what, in process of time, would be the state of Religion, in theory and practice, when upheld by Preachers who would gradually become too mean and contemptible to do any good, requires no great penetration or foresight in those who "understand the use of Religion in enforcing "Morality, and the use of good morals in securing "the Welfare of the Community."

In short, if there were no Dignified Establishment, and no valuable preferments in our National Church, "Those who are now bred to the Church, "would apply their money, their time and their "talents in some other way: and there are few "ways, in which they might not be able to procure "for themselves, and for their families, as good, "or a better provision, than they at present derive "from the Church. We see in the course of

"every century, a great many ample fortunes "accumulated, and obscure families ennobled, by "the profession of the law, by the army, by the "navy, and by commerce; but it is a rare thing "indeed to see a Churchman, in consequence of "his profession, lifting his posterity above the "common level, either in rank or fortune. And, "yet, there can be no presumption in supposing, "that men brought up to the Church, have as "sound understandings, as those brought up to the "Bar; the same industry, genius or ability of any "kind, which contribute to place a man on the "Bench of Bishops, might, if they had been di-"rected into another channel, have placed him on "the Bench of Judges; and he, whose head is co-"vered with an Archiepiscopal mitre, might have "been adorned with the more substantial and per-"manent honors usually conferred on a Lord High "Chancellor *."

But, it hath been further urged by the advocates of the system for equalizing the incomes of the Parochial Clergy, and augmenting them with the Cathedral Revenues, that, if, in such an improved state, each living should not turn out an adequate object of pursuit and compensation to every man of rank, character, and abilities, nevertheless, the livings would be an ample sufficiency, when compared with the present incomes of the majority of the Parochial Clergy; that they would exceed the salaries of the Ministers of the Kirk of

* Bishop Watson's Letter, before cited.

Scotland, the incomes of the Established Clergy in Ireland, and the stipends of the Clergy in the Protestant Swiss Cantons; in which the ancient revenues of the Church have been appropriated, not only to the service of Religion, but to the support of the State also.

Though it be true, that £242 per annum is a greater income, than the majority of the English parochial Clergy at present enjoy, it does not argue, that such a sum is a sufficiency; and though it should exceed the salaries of the Ministers of the Kirk of Scotland, the Incomes of the established Clergy in Ireland, and the Stipends of the Protestant Clergy in Switzerland, it does not prove, that a larger income is unnecessary, or that an income of £242 a year would be capable of drawing proper persons into the service of the Church. It may, however, be requisite to pay rather more than a passing attention to the objection raised on the comparative incomes of the Scottish and Irish Clergy; since many cherish the idea of new modelling the Church of England in respect to her Revenues after the plan of the Kirk of Scotland, and of abolishing in England the payment of certain Tithes, and the regulation of others, after the example of Ireland.

It is a principle of natural reason and justice, that the recompense of every service should be suitable and apportioned to the nature of that service; which should be rewarded, neither in an excessive nor penurious manner, as, in either case, the cause which requires those services, and the

continuance of them, may suffer, though from different effects. If services are compensated at too high a rate, the receivers of the emoluments of such overvalued labors, may be induced to think of themselves, and their services, more highly than they ought to think; and from being led into an opinion and false estimate of their own importance, may give themselves up to inattention, idleness and neglect: and if services are, on the other hand, inadequately and too scantily compensated, the receivers of such insufficient rewards will be secretly disinclined to, and imperceptibly drawn from, the continuation or due discharge of those services; of course, others must be placed in their situations, to whom such inadequate compensations are acceptable; but from whose presumptive meanness and incapacity, evil consequences, in proportion to the importance of the service, must be expected unavoidably to ensue. If these positions are well founded and applicable to any service, they are most assuredly true, and may be fully applied to Religion, and to the services of its Ministers.

Let us see, then, in what manner they affect the Kirk of Scotland, though without the most distant intention of making any invidious comparison.

It hath been said, by writers of that country and communion, that "The most opulent Church "does not maintain better the uniformity of faith, "the fervor of devotion, the spirit of order, regu- "larity and austere morals in the great body of

" the people, than the poorly endowed Church of " Scotland: all the good effects, both civil and " religious, which an Established Church can be " supposed to produce, are produced by it as com- " pletely, as by any other *."

If this ever were an exact portrait of the Kirk of Scotland, its leading features must have been considerably changed. For, if a general judgment be formed of the state of religion, the situation of the ministry, and the morals of the people, from many parts of an extensive work † published about twenty years ago, and from other publications relating to the internal police of Scotland, it will not be quite clear and satisfactory to every close inquirer, whether the same good effects, both civil and religious, had continued to flow so plentifully from its poor Ecclesiastical Establishment.

The whole provision of the ministers of the Kirk of Scotland was estimated in 1755 at about £68,500 per annum ‡; which, being divided between 944 ministers, afforded on the average to each of them, an annual income of £72, including the values of their manses and glebes §.

This provision appears, from the before cited publication, to have been daily growing of less and

* Wealth of Nations, vol. iii. p. 243.

† Sir John Sinclair's Statistical Accounts of Scotland.

‡ Wealth of Nations, vol. iii. p. 242.

§ In 1785, Bishop Woodward stated the manses and glebes, as worth 30l. a year; and that, including them, the average income of the Scottish Clergy was 130l. per annum. The present State of the Church of Ireland, 1787, p. 35.

less estimation, and scarcely an object of desire. It was so incompetent to the decent and comfortable maintenance of the Ministry, notwithstanding the great cheapness of the necessaries of life in Scotland, compared with the prices of them in England, that not only the Ministers themselves complained and were uneasy in their situations, but their unpleasant and confined circumstances were so obvious, that the youth of respectable families and connections were prevented and deterred from entering, as formerly, into the Ministry.

The consequences of this had been, that those of inferior families and situations in life had been already candidates for, and had been necessarily ordained into the Ministry, from the mere want of others, of more respectable connections, and more qualified by education and professional studies. But, from time to time, even this class of the people would have withdrawn themselves, as views of bettering their conditions in the commercial line or some lucrative employment continued to present themselves to their notice; and others of still less character, consequence and qualifications would have been brought forward, and, though ill qualified to promote the purposes of religion, must through necessity have been introduced into its offices. And thus would the poverty of the Scottish Establishment have proved its most deadly foe, and eventually in all likelihood have worked its ruin; as all the good effects both civil and religious,

which have been deduced from it, would have gradually vanished....

In the hurry, confusion and violence, with which the reformation of the Church of Scotland was attended, and by which it was chiefly effected, though many things were done, for which the Reformers themselves were afterwards sorry; yet, in no instance, did they more regret the consequences of their conduct, than in respect to the Revenues of the Church, and the system of Tithes. And probably the regret of the Reformers arose, in the cooler moments of reflection, from a conviction of the instability and lasting efficacy of a poorly endowed Establishment, and of the evils resulting from the destruction of a material source of connection between a Minister and his parishioners....

In confirmation of the progressive decay of the Kirk of Scotland, from the secession of the youth of the best families and qualifications from the Ministry, on account of the scantiness of the provision allotted for its support, may be adduced, from the foregoing statistical publication, the rapid instance which the parish of Kincardine, in the county of Perth, furnished. In this parish, the number of students, particularly in divinity, was at one time very considerable. About eighteen years previous to drawing up the account of this parish, there were eighteen Clergymen (including every denomination,) natives of this parish: they were then reduced to four; and there were only two students. The great increase in the expense of education, and

the emoluments of the profession being nearly stationary, while, in almost every other line of life, they were increasing with an astonishing rapidity, were evidently, the author observes, the causes of this alteration. A spinner of cotton, in the second year after leaving the plough, gained annually a sum equal to the average stipends of the Ministers of the Church of Scotland, which were the recompense held forth, for an expensive education of fifteen years at least, and for many more perhaps of anxious expectation *.

Such was the situation, into which the Ministers of the Kirk of Scotland had declined, at the publication of the statistical accounts of that kingdom, through the long adherence of the Court of Session to the old maxim, that "a poor Church was a "pure Church;" and possibly also through the influence of the titulars of tiends, who answer to the Lay-impropriators in England.

At length, however, the incomes of the Scottish Clergy were placed in an ameliorated situation, by augmentations of the Ministers' stipends out of the unexhausted or unappropriated tiends, which, though they produced many long and expensive litigations, were eventually and uniformly confirmed: and by degrees the Scottish Clergy became possessed of probably more comfortable and respectable incomes, than the English parochial Clergy (a small proportion of the benefices in England excepted) enjoyed on the average.

* Stirling Agricultural Report, 1812, p. 98, affords a similar account.

But, notwithstanding the general income of the Scottish Clergy was increased by these augmentations, yet in 1810 there were still existing 172 benefices, with average stipends of about £100 per annum only, and requiring £8,713 to raise them to an average of £150 per annum: and for this purpose upon a duly authenticated representation, the sum of £10,000 per annum was granted by Act of Parliament. It is to be presumed, that the legislature did not make the essential difference, which appears in the nature of the two grants in 1810, for augmenting the poor livings, in Scotland, and in England, without sufficient reasons, though such reasons are not immediately evident.

The poor livings in Scotland are about one-fifth; but in England they are four-tenths of their whole numbers. The augmentation to the Kirk of Scotland was by act of parliament, and permanent; whilst that to the Church of England is only an annual grant, and therefore of uncertain continuance. Add to this most important difference, that the poor livings in Scotland were raised at once to £150. per annum, exclusive possibly of manses and glebes: whilst the poor livings in England are to be gradually increased to £150 per annum, including houses and glebes: which gradual increase at £5,000 per annum, being the interest at 5 per cent. of £100,000 annually granted, will require similar grants between fifty and sixty years to raise the 4,000 poor livings in England to £150 per annum; the amount of their gross annual income being in 1809 under £320,000, and re-

quiring an augmentation of upwards of £280,000 to increase them to the proposed average value of £150 per annum.

The feeble assistance derived annually from Queen Anne's Bounty Fund, and from the benefactions of benevolent individuals, together with the increasing values of the glebe and augmentation lands, and of the incomes arising from tithes, is not an adequate foundation for this most apparent inequality. If 172 livings in Scotland were favored by an act of parliament with an annual grant of £10,000 to increase the incomes of them to £150 per annum, why should not 4,000 livings in England have been favored with at least a proportionate grant of £230,000 per annum, and sanctioned by similar authority, as even then, with such an extension of the national liberality, the 4,000 livings would not have averaged more than £137. 10s. per annum?

But, from whatever cause the difference originated, the stipends of the lowest class of benefices in Scotland were raised *per saltum* to £150 per annum, exclusive (as it is conceived) of the values of their glebes and manses: which latter, with all necessary outbuildings, are erected and kept in repair at the expense of the land proprietors of the respective parishes, and are represented to be very neatly built, and to be desirable and commodious habitations *.

These manses, with their annexed glebes, con-

* Kincardine Agricultural Report, 1810, p. 190, 218.

taining about twelve or thirteen acres on the average *, can scarcely be valued under £30 per annum, making the incomes of the lowest class of benefices in Scotland (about one-fifth of the whole number) equal to the annual value of £180: and considering the difference in the mode of living in Scotland, and the difference in the prices of the necessaries of life, &c. which cannot be estimated at less than one-third on comparison with them in England, this proportion of the Scottish Clergy endowed with even their smallest ratio of income, are all virtually in possession of an income equal to £240 per annum in England: An income, approaching to the general average of the incomes of the parochial Clergy in England, upon a high estimate of their gross equalized revenue, and augmented by the nett revenues of the annihilated Cathedral and Collegiate Churches; and an income of three times the amount of the average income of four-tenths of the parochial Clergy in England, as returned in 1809.

Of the other four-fifths, or 764 benefices in Scotland, their incomes much exceed the idea usually conceived of their amount. They have been largely improved by augmentations from the unexhausted tiends, and by the modern conversion or payment in money of the victual (that is, the grain, meal, &c.) with which they are endowed, according to the times' prices.

From the information to be derived from the county agricultural reports respecting the stipends

* County Agricultural Reports of Scotland.

of the Scottish Clergy, (confessedly founded in general on the parochial statistical accounts, drawn up perhaps from twenty-five to thirty years ago,) and from the increase of the stipends, specified in several parishes, in the counties of Berwic, Dumbarton, Renfrew, and West Lothian, it is probable, that a similar comparative increase has taken place in the stipends of all these 764 benefices, and that the Scottish Clergy in the possession of them, are in the enjoyment of average incomes, from manses, glebes, and stipends, equal to £300 per annum; and allowing one-third, as before stated, for the difference in the mode of living, and in the prices of the necessaries of life, &c. virtually equal to £400 in England: and that, without adding this one-third, the whole body of the Scottish Clergy, in number 936 *, are in possession of a revenue amounting to £260,000 per annum, and individually on the average to an annual income of £278; that is, £23 per annum above the average annual income

* Singers, before cited, p. 5. And in reference to the principles which ought to regulate the augmentations of the stipends of the Scottish Clergy, he says, that "the medium "ratio of the prices of necessaries, of labor, and of land, "would perhaps be the best rule for augmentations of sti- "pend. And, according to this rule, the stipends ought to "have arisen from 1 to 6, since the year 1750. Had this taken "place, the lowest stipend at present would have been about "£150; the medium £362; and the maximum £833," p. 25, 26; that is, if his meaning be not misapprehended, the average incomes of the Scottish Clergy, on the average of the three ratios set down by him, would and ought to have been nearly £450 per annum, at the date of his pamphlet.

of the parochial Clergy in England, and even exceeding in a small proportion their average annual income, upon the proposed equalization of their general revenue, and the augmentation of it by the nett revenues of the annihilated Cathedral and Collegiate Churches.

It must not be said, that the Scottish Clergy alone are pressed by deductions out of their stipends for various purposes. The parochial Clergy in England are chargeable with many similar ones, under the names of first-fruits and tenths, procurations and synodals, visitation fees, and subscriptions for the orphans and widows of their brethren; and if the repairs of their houses and outbuildings, and of the chancels of their Churches (generally at the expense of the incumbents) be added, the parochial Clergy in England are perhaps more pressed by all these accumulated charges, than the Scottish Clergy: and with the latter, they are likewise subject to the payment of all parliamentary and parochial taxes.

To those who are strangers to the ecclesiastical establishment of Scotland, it may be proper to add, that at the reformation of religion in that kingdom, the property of the Church in tithe or tiend, as it is there stiled, passed by gift of the King into the hands of Laymen, and who are thence called Titulars of the Tiends. The payment of tithes or tiends to these Titulars soon became a cause of complaint: and it was decreed by Charles Ist, to whose sole arbitration the complaint was referred, that the land proprietors should be intitled to de-

mand a valuation of their tithes, and of their lands; and that, instead of the tithes formerly levied in kind, a fifth part of the nett value or rent of the lands should be for ever afterwards taken as the value of the tithes or tiends; and that the Titulars, when required, should be obliged to sell their tithes to the respective land proprietors at the stated price of nine years value. The Court of Tiends, instituted for that purpose, and whose powers were devolved in 1707 on the Court of Session, was impowered to grant out of such fifth parts, stipends in money and grain to the parochial Ministers, and from time to time out of the same fund to augment them, as the Court should judge necessary for the Ministers' adequate support; and when the value of such fifth parts remaining in the possession of the Titulars should be wholly appropriated to the Ministers' stipends, and further augmentations should become requisite, then such augmentations were to be made out of the tithes or tiends bought up by the land proprietors of the titulars; and, finally, when this fund also should be entirely exhausted, then all future augmentations should be made out of the lands in general in each parish.

It has been observed, that "the proprietors of "land have no cause to complain of the additions "which have been made to the livings of the "Clergy from the unappropriated tiends. By the "law of the land, these tiends are burthened with "the support of the Established Ministers; and "it was undoubtedly intended by the Legislature, "that this support should keep pace with the

" advancing circumstances of society, so as to " maintain the Clergy in the rank which they ori- " ginally occupied, and which they must occupy, " in order to be respectable and useful. With " this burthen, every proprietor of land has pur- " chased, or succeeded to his estate; and under " this condition of supporting the Established " Clergy, every Titular has obtained the gift of " his tiends *."

It appears, then, that the new modelling the revenues of the parochial Clergy in England, after the plan of the Kirk of Scotland, might be attended by an immediate advantage to them; but surely not in proportion to the disadvantage, which would result from such an improvident alteration; an advantage, perhaps, of most uncertain continuance, and without doubt most inadequately compensating the almost annihilation of our ecclesiastical establishment.

And it is not improbable, that the revenues of the parochial Clergy in England would be still more largely improved, even on the abolition of certain tithes, and on the regulation of others, after the example of Ireland, if similar unions of parishes in England were to take place, and the incomes of the parochial Clergy were to arise from benefices of the same landed extent in England as in Ireland.

In 1792 the then existing benefices or unions in Ireland were 1,120, containing each on the average

* Stirling Agricultural Report, 1812, p. 96, 97, 98.

11,919 Irish acres *. In 1807, many separations having subsequently taken place, the benefices or unions were stated at 1,181 †; and probably some separations having been likewise since made, the present number of parochial benefices or unions in Ireland may be estimated at 1,200.

Ireland has been stated to contain nearly 19,500,000 ‡ statute acres; which being divided between 1,200 benefices or unions, give an average extent to each of 16,000 acres and upwards: and, if allowance be made for the benefices or unions in cities and towns, where their extent is probably much below this amount, each country benefice or union will possibly contain little short of 20,000 statute acres. On the contrary, in England, which contains 38,500,000 statute acres §, the parishes or livings comprehend about 3,850 acres on the average; and if similar allowance be made for those livings in cities and towns, perhaps about 4,000 acres: that is, one-fifth part of the presumed extent of a benefice or union in Ireland.

In 1799, the Tithes and Church Revenues in Ireland were said to amount to 450,000*l.* per annum ‖. But since that period, by the extension of

* Dr. Beaufort's Memoir of a Map of Ireland, 1792. The Irish acre is to the English, nearly as one five-eights to one.

† Carlisle's Topographical Dictionary of Ireland, under Ecclesiastical Establishment, in 1807.

‡ Newenham's Natural, Political, and Commercial Circumstances of Ireland, 1809, p. 61.

§ Dr. Beeke on the Income Tax, 1800, p. 14.

‖ Colonel Keating's Defence of Ireland, 1799.

tillage in Ireland, and the consequent rise in the rental of that kingdom, "the Revenues of the "Clergy have been prodigiously augmented, and "may now vie in opulence with those of most other "countries: though in consequence of the unjust "abolition of the Tithe Agistments, and the non-"payment of small tithes in most places, they "would have been amongst the poorest in Eu-"rope *."

The extension of tillage in Ireland was stated in 1805, as having been sixfold within the preceding twenty-one years †; and during the last ten years, its progressive increase must have been rapidly accelerated, through the happy effects of the union of Ireland with Great Britain. And it must be allowed, that the Tithes and Church Revenues in Ireland have been likewise largely augmented during the same periods ‡.

A late writer on the Statistics of Ireland, says, that the "Incomes of the Church Livings in Ire-"land, are generally much larger than in England; "a Living of 500*l.* per annum is but a middling "one; and any thing beneath it, is considered "very low. The Livings in the gift of the Arch-"bishop of Cashel, are worth 35,000*l.* per an-"num; those in the gift of the Bishop of Cloyne, "50,000*l.*; those in the gift of the Bishop of

* Newenham, before cited, p. 233.

† Newenham on the Population of Ireland, 1805.

‡ The average nett Income of the Parishes (including Deaneries and Dignitaries) in nine Dioceses in Ireland, was stated in 1785, at 133*l.* per annum. Bishop Woodward's Present State of the Church of Ireland, 1787, p. 34.

" Cork, 30,000*l.*; and those in the gift of the " Bishop of Ferns, 30,000*l.*: And, in Cloyne, there " are Livings worth from 1,200*l.* to 3,000*l.* per " annum; in Cork, two of 1,000*l.*, with many " from 700*l.* to 800*l.*; and, in Killaloe (which has " only 109 Benefices) many are worth 1,500*l.* per " annum*."

So likewise says another late statistical writer on Ireland. " In the Diocese of Cloyne, there " are 56 Benefices, whose Revenues amount to " 40,000*l.* per annum: and in the little Diocese " of Ross, which is chiefly under tillage, there are " eight Benefices worth 1,000*l.* and upwards.†"

These accounts of the magnitude of the incomes of the Parochial Clergy in Ireland are entitled to all credit, and are supported by this circumstance, that, from the great average extent of the Country Parishes, a very small charge per acre for Tithes, will create Parochial Incomes of 800*l.* or 1,000*l.* per annum.

The Clergy of the Established Church in Ireland, consist of 22 Archbishops and Bishops, about 300 Dignitaries‡, and about 1,200 Parochial Incumbents: and it is presumable, that the gross aggregate amount from Tithes and Church Revenues is divided amongst them in the following proportions.

* Wakefield's Statistical Account of Ireland, 1812, vol. 2. pp. 469, 472.

† Newenham's Circumstances of Ireland, before cited, p. 233, note.

‡ Carlisle's Topographical Dictionary of Ireland, under each See.

The Episcopal Incomes were estimated in 1779 at 74,700 per annum *; and in 1812, they were stated at the increased amount of 146,200 †, having been nearly doubled in a period of little more than thirty years.

The incomes of a very large portion of the Dignified Clergy, chiefly arise, as it is conceived, from the incomes of Livings generally annexed to their respective Dignities ‡. In the Churches of these annexed Livings, the Dignitaries commonly officiate; and they appear to be the most usual Ministers in the Cathedrals to which they belong, where their Cathedral Churches are in existence, and in which Divine Service is continued to be celebrated. The incomes of many Dignitaries are exceedingly small, as for instance in the Cathedral Churches of Clonfort, Kilmacduagh, &c.: and therefore it may not be rashly admitted, that each Dignitary is in possession of an income of 100*l.* per annum only on the average unconnected with any parochial emoluments; and that the gross aggregate income of the Dignified Clergy (merely as Dignitaries) does not exceed 30,000*l.* per annum.

The incomes of the Parochial Clergy have been

* Young's Tour in Ireland, 2 vols. 1781.

† Wakefield, before cited, vol. 2. p. 469. He states only 125,000*l.*; but the sums opposite to each See, amount to 146,000*l.*

‡ "The Ecclesiastical Dignities in Ireland depend on "Tithes." Bishop Woodward's Present State of the Church of Ireland, 1787, p. 67.

lately stated (at least, by implication) at 500,000 *l.* per annum*; and considering the landed extent of the Benefices or unions, and the before mentioned aggregate values of many Benefices in certain Dioceses, it is not improbable, that this statement, though there may be many Livings of small value, is correct.

The gross aggregate Revenues of the Established Church in Ireland, amount then probably at this time to about 676,000*l.* per annum, and have increased full fifty per cent. since 1779. And, if the aggregate income of the Parochial Clergy was equally apportioned to each Benefice or Union, every incumbent would enjoy an average income of nearly 420*l.* per annum, notwithstanding the abolition of Agistment Tithes (wrested from the Clergy, contrary to the constitution, law, and common sense,) the non-payment of small Tithes in many parts, and the mere acknowlegement in many others of sixpence only for any quantity of hay, flax, &c. †. And an income of 420*l.* per an-

* Wakefield, vol. 2. p. 658.

† It would be difficult to assign a sufficient reason for the prevailing discontent in Ireland, respecting the payment of Tithes, if the following statement of the general charge for them per acre, be correct. Wheat valued at 24*s.*, but usually charged at 12*s.*; barley 19*s.* 6*d.*, usually charged 9*s.* 8*d*; oats 16*s.*, usually charged 7*s.*; meadow 12*s.* 6*d.*, usually charged 6*s*; and potatoes 28*s.*, usually charged 8*s.* And, if the Irish acre is taken for making the charge, it will be reduced a third part; as the Irish acre, as before mentioned, is to the Statute acre as nearly one five-eighths to one. Mr. Parnell's Speech in the House of Commons, May 19, 1809.

num in Ireland, allowing one-third for the difference of Living, &c. &c. in Ireland and England, cannot be estimated at less than equal to 560*l.* in England; and which is an income double in value to the equalized average incomes of the Parochial Clergy in England, even with the proposed augmentation of them by the nett Revenues of the annihilated Cathedral and Collegiate Churches.

The abolition of Tithe Agistments in Ireland has been called unjust. It was no less impolitic; and, proceeding solely from a violent exertion of arbitrary power in the Irish Commons of that period, and unsanctioned by the Legislature, it was illegal and unconstitutional. And to its operation, which must be considered as tantamount to a permanent bounty upon grazing, together with the diminished payments for small Tithes, may be attributed the wretched and impoverished state of agriculture in Ireland, until the close of the last century.

It would be useless to enter further into a discussion of the scheme of altering the Tithe System in England, with the adoption of unions, after the example of Ireland; because, though the incumbents of the small Livings might be benefited by the practice of unions, yet the present state of Civil and Ecclesiastical Property, and of the Parochial Divisions in this kingdom, the ancient and sanctioned rights of the Established Church, the continually growing value of Church Patronage, and the increasing population and consequent in-

crease of the Parochial Duties, render it impracticable.

Nor is the plan of appropriating the Revenues of the Parochial Clergy in England to the service of the State as well as of Religion, after the example of the Protestant Swiss Cantons, more just, wise, or feasible; and it may be reasonably doubted, whether the adoption of it, if practicable, would not prove prejudicial to society, by loosening the minds of the people at large in respect to the permanence of property in general, and by weakening the credit and lessening the influence of Religion, in the persons and situations of its Ministers.

In so poor and cheap a country, as Switzerland, in which a luxurious or extravagant mode of living is generally reprobated, and in which the simplest habits of industry and frugality may be usually observed amongst all ranks of people, though the incomes of the Parochial Clergy may be small *, they may nevertheless be fully ade-

* "In the Canton of Berne, the maintenance of the "Clergy consists principally in an allowance from the State "of corn and wine, and a very small stipend in money, as "it has not received any very considerable increase since "the time of Calvin. But they have all comfortable houses "and glebes; and I am assured by a Gentleman of that "Canton, equally well acquainted with this kingdom, that "the average Income of the Clergy there puts them in a "state more comfortable, and in a better relative situation, "than the average above stated (£133 per annum, in Ire-"land) would place a Clergyman in this country. The sa-

quate to a decent and comfortable maintenance and independence, according to the fashion and custom of that country. Nor is it fair to insinuate the same hopes and wishes in England; because, that in Switzerland, after allowing a provision for their Ministers of Religion out of the ancient revenues of their Church, there still remains a great overplus for the support of the poor. For let it be recollected, that the whole revenue of the Church in the Swiss Cantons, which renounced Popery, was converted into a Fund for these purposes, and must produce a very large annual return; and that the number of the actual poor must be inconsiderable* in a country, where all are brought up to provide for their own maintenance, and where every one, capable of earning a subsistence, is not permitted to live in idleness, and at the expense of the State. Whilst, on the contrary, in England, the present situation of the

" lary of a Minister, in Geneva, though small, not more " than £60 a year, is yet competent to support him with de- " cency." Bishop Woodward's present State of the Church of Ireland, 1787, p. 37.

* " It is remarked by Dr. Moore (Travels in France, &c. " Letter 30,) that the peasantry is uncommonly wealthy " throughout the whole Canton of Berne; and yet we " know, that they pay tithe in its worst form, as a tax to " the state; nay, that the produce of it is not expended " among those who pay it, but great sums of that produce " are hoarded up as a state treasure, even to the amount of " several millions." Letter to W. W. Pole, Esq. on the Commutation of Tithes in Ireland, 1810, p. 14.

Church, the stile of living, the price of provisions, and the number and condition of the poor, are so materially different, as almost to deny, not only the possibility of any just comparison, but of any comparison at all.

The undiminished Revenues, which the Church of England enjoyed previous to the Reformation, might, indeed, be fully adequate to the same good works in this kingdom, as they are in Switzerland. But, when it is remembered, how much the Revenues of our Church have been reduced, there is no reasonable ground to form such expectations from them, at this time. At and since the Reformation, our Church hath been deprived of at least two-thirds of her revenues, if we may believe what we are told by several ancient and modern writers; which two-thirds, according to the before stated collective revenues of the present Episcopal, Dignified, and Parochial Clergy, would now be worth nearly six millions sterling per annum, and possibly a much larger sum; as the possessions, which have been taken away from the Church, have invariably consisted of her most valuable property in lands and tithes, but chiefly of the former.

Six millions sterling are probably about equal to the yearly maintenance of the poor of the whole kingdom at this time, allowing even for a great increase of expense, since the last inquiry was made into the annual amount of the poors rates*: a tax, which bears hard upon

* Of the gross sum of money raised by poors rates in Eng-

every description of people; whose diminution or annihilation, were it possible, would obviate one of the most common sources of national complaint; and whose existence is one of the defects in our Constitution, which, as it is human, cannot be perfect. But to propose the accomplishment of the maintenance of the poor, even in part only, after the example of the Protestant Swiss Cantons, out of the present diminished Revenues of the Church, (and which are already chargeable, in just proportion, to the maintenance of the poor, and to all other parochial taxes,) would be most oppressive, and in fact impracticable. For, though the Church may still be in possession of a considerable revenue in the aggregate, yet she hath a

land for the year ending at Easter 1803, almost four-fifths, or nearly £4,268,000 was expended in and for the use of the poor; the remaining fifth was disbursed in various county expenses, unconnected with the poor.

According to a Report lately printed by order of the House of Commons, the amount of the poors rates and other rates, relative to the maintenance of the poor and highways, raised in England and Wales in the year ending March 25th, 1815, (including an approximate proportional addition for 854 parishes and places which had made no returns,) is probably rather short of £7,500,000: out of which, if one-fifth be deducted for expenditures not connected with the poor, (though possibly a much larger sum ought to be allowed on account of the increased military expenses paid out of the poors rates, and on account of the highway rates being taken into the £7,500,000,) it will appear, that the yearly maintenance of the poor, in twelve years ending March 25th, 1815, has increased from £4,268,000 to about £6,000,000.

number of sons and dependents to maintain; and whose situations in general bear the strongest testimony to the truth of an assertion, usually ascribed to the late Lord Chatham, that "The Church, "God bless it, hath but a pittance."

The partisans of Church Reformation yet go on to say, If the incomes of the Parochial Clergy be not equalized, however, let all those Cathedral dignities and distinctions be abolished, from which such large revenues are derived, for no apparent service whatever; and, if these Cathedral revenues are not converted to the use of the Parochial Clergy, they may be appropriated to some charitable and pious uses. For instance, they may be given to the kingdom at large in aid of the poors rates; or they may be made a fund for the maintenance of the widows and orphans of the Clergy; or they may be applied to the benefit of the State, to whom all those ecclesiastical rights and possessions, which are now judged useless or inexpedient, ought in equity to revert: for all the property of the Church, whether in lands or tithes, hath been really derived from the State; and by the resumption of the whole, the State would only gain the re-possession, of that which originally belonged to her.

Enough hath been already said to shew, that the suggested plans, of an alteration in the disposal of the Ecclesiastical Revenues, would not materially benefit the Parochial Clergy of this kingdom; and that the political advantages, which are so plausibly, warmly and earnestly holden

forth in the defence and recommendation of such plans, would, in all human probability, be converted into very opposite effects; into evils of a most dangerous tendency to Religion, and to Society. However, the scheme of abolishing the Dignified Clergy seems to be the most favorite notion of modern ecclesiastical reformers; and, if they could bring it to pass, they would regard, neither the means nor the consequences of doing it, nor in what manner the application of the revenues of such Dignified Clergy, would answer the purposes they intend by it.

Thus, when they say, Let the revenue of the Dignified Clergy be given in aid of the poors rates throughout the kingdom, they do not consider, that, when all the necessary deductions are made, for the constant inspection over such a scattered property from which that revenue is derived, for collecting the income arising from it, and for remitting the nett produce of it in due proportion to each parish, so very considerable a share of that revenue would unavoidably sink into the pockets of the agents thus employed in the management of it, that there would scarcely be found a parish relieved or assisted, in any important degree, by the allotted portion of it.

Thus, when they say, Let the revenue of the Dignified Clergy be converted into a fund for the maintenance of the widows and orphans of the Clergy, they secretly applaud themselves for the wisdom and propriety of the proposal; as the Clergy, they think, cannot surely object to it,

when they reflect, that, in case of their own deaths, a more ample provision will be made for their widows and children, and who may thus enjoy perhaps a more comfortable maintenance than could be drawn from a small living, and may by this mean receive a comparative alleviation of sorrow at the loss of an husband, a parent, and a protector. Though it must be acknowleged, that the end of this proposal is benevolent and humane, yet it is somewhat too like demanding a very extravagant price for the necessaries of life from a man in his lifetime, in order to bestow, at some future period, a part of the produce of such extortion, on his widowed wife and fatherless children; thus preventing him from sharing, in his own person, in all the good things, to which his occupation might entitle him, and its undiminished profits might enable him to procure. But, with all grateful acknowlegement of the munificence of the Laity, and with all due praise to the Clergy themselves, there is scarcely a necessity for so great and hazardous a sacrifice, for the establishment of such a fund. The various noble public charities, supported by both the Laity and Clergy, and the very considerable provincial subscriptions made annually throughout the kingdom, chiefly, by the Clergy themselves, afford, though not an ample, yet a moderate relief, to the widows and orphans of the Church; hardly an instance of neglect or omission occurs, even of those who are not so worthy of assistance; widows, for the most part, are decently supported by these charities and sub-

scriptions; and their children, when arrived at proper ages, are placed out by the same charitable funds, in suitable lines of life, in order to maintain themselves in due time, and not to remain a constant burthen on society.

And thus when the Church Reformists proceed to say, Let the Revenue of the Dignified Clergy be applied to the benefit of the State, and assert, that the property of the Church is the property of the State, which, according to them, may and ought to be resumed, whenever the necessities of the State required it, or the continuance of that property in the possession and for the use of the Church, should be deemed inexpedient, they most plainly insinuate their wishes, and directly recommend the execution of such a project. And it is not uncharitable to presume, that they would probably assist, with a willing heart and ready hand, in such an iniquitous and sacrilegious plunder; and that, rather than forego the accomplishment of their views, they would even risk some degree of danger to their own property and rights: which, however, they would endeavour to secure from depredation and infringement, by the adoption of those very measures of protection, which they will not allow to the persons attacked by them.

It is very difficult to trace the origin of the idea that the property of the Church is the property of the State, and that the public hath a right to resume the possession of it.

Upon a supposition, that the property of the Church was originally a donation from the State,

yet it does not appear, upon what grounds, the State can found a right to reclaim it. Or, admitting that there was any foundation for the supposition, does the act of giving imply the right of resumption also? The gifts of private individuals, between man and man, are esteemed so valid and permanent, as not to admit the shadow of a resumptive plea. Why, then, is the great individual, the Community, to be invested with a privilege, in direct opposition to those very laws, by which she binds all her members in their private capacities? Or, is it, because she is the depositary of the supreme power, and is therefore able to enforce her will, though the execution of it may be most unjust and dangerous? If so, is not such a mode of proceeding very analogous to the common proverb of, "Might overcoming right*?"

But, in respect to the Church lands, the State never had any connection with or interest in them, as they have been almost intirely derived from the voluntary, pious and munificent donation of Kings, Nobles and others, their original proprietors, and have been always considered, as a distinct and inalienable property. And, in respect to tithes, the State never had any claim upon them, or ever had them in her possession: they arose from the same

* "We have heard indeed of such a thing as the omnipotence of Parliament; but it becomes not me to say, what the British Legislature may, or may not have the power to do; but one thing I may venture to say, that it will not give its sanction to wrong and injustice." Three Letters on Tithes and Tithe-Associators, 1796, p. 46.

liberal source, as the Church lands, and, from the first origin of them in this kingdom, have been constantly appropriated to the support of religion; and, so far hath the State been from asserting a right to them at any period, that she hath by various positive laws settled them on her Clergy, as their portion and inheritance for ever.

It is attempted to assist and strengthen the argument, in favor of a resumption of our Church property, by the late example of France, though it will not gain any real or creditable support from the comparison. France, it is said, absolutely annihilated all the property of the Church, by the sale of its lands, and by the abolition of tithes, and fixed the maintenance of the Parish Priests, (who, with a few of the Bishops alone remained of all her numerous Clergy,) at certain determinate salaries, payable out of the public treasury.

It is granted, that, during the raging paroxysm of insanity, under which that nation laboured, such things were done; but, however, it does not follow, that such alterations were justifiable, or will be finally established on the return of a permanently settled government in that kingdom.

Of the immediate consequences of them, a judgment was early formed from a perusal of the authorized French Papers; and soon convinced the most prejudiced and obstinate, who were open to conviction, that in the annihilation of their revenues, the French Convention or National Assembly, virtually, annihilated their Clergy, and in their destruction worked the destruction of religion also;

and that, (in consequence of the people being freed from all religious influence and restraint,) vice, prophaneness and immorality stalked boldly, without disguise and in every shape, amongst all ranks, and without either shame or remorse in those who were most notorious for them; that infidelity was no longer a term of reproach; but a cause of triumph and exultation; and that, in further proof of the height to which human depravity could ascend, even Atheism erected its standard, whose principles could scarcely fail of being fondly received by the bulk of the nation, after having been so warmly, indecently and audaciously avowed in their public assemblies, and, to their everlasting infamy, flattered and applauded by their Legislators.

It is, indeed, impossible to reflect upon the late conduct of France, without the most painful sensations, without horror and disgust, and without breathing the most fervent wishes, that every nation may ever escape similar wickedness, misery and punishment! And, as it is equally impossible to foresee the whole consequences of a spirit of innovation, the people of Great Britain in particular, through every rank and situation in life, should be always "conscious of the blessings of "a free government, and should be well aware, "how very little they have to gain, and how very "much they have to lose, by any revolution."

But to return, to offer any comparison between the present state of the Establishment of the Church of England, and the state of the Gallican Church, previous to the late revolution, is unfair and un-

grounded; because, though the name of an Established Church was applicable to both, yet in point of doctrine, constitution, and revenue, they were most essentially different.

The Church of France was, in faith, practice and establishment, in a similar or more depraved state, than the Church of England, prior to the Reformation. Her faith was corrupt, and unwarranted from Scripture: by teaching for doctrines the fancies and commandments of men, she had adulterated the pure word of the Gospel; the true knowlege of which was not to be acquired by the great mass of the people, from being denied the free use of the Scriptures, in their native tongue. Her constitution, and the application of her revenues, were not less reprehensible; though possessed of an immense revenue, possibly, much larger in comparison than the Clergy ever enjoyed in England, during the time of Popery, and though it might have been proportionably adapted to the number of the Clergy who ought to have been partakers of it, yet the Religious Houses consumed the greatest portion: the real Clergy, whether episcopal, dignified, or parochial, divided only a comparatively moderate share amongst them. Besides, all her valuable preferments, and those in general were of a secular nature, were disposed of, in proportion to their value, in favor of noble Family-interests, or of recommendations from the Nobility; and, according as these appointments were more or less an object of pursuit, so, on the attainment of them, were their peculiar duties, pro-

portionably neglected, or inattentively committed to the care of others.

On the contrary, the Church of England, neither teaches corrupted doctrines, nor instills corrupt practices; she does not deny her members the free use of the Scriptures in their vernacular language, or the liberty of examining, illustrating and explaining them; she, since the Reformation, possesses no immense revenue, but a bare subsistence for her Clergy individually; she hath no Religious Houses to partake of her revenues, nor secular preferments to bestow on the idle and the negligent; all her sons, employed in her offices, are, with few exceptions, ever intent upon their appropriate duties, and would be still more diligent in the discharge of those duties, were each of them possessed of a more enlarged and comfortable independence, and furnished with more suitable places of abode.

The present state, then, of the English Establishment precludes all ground of just comparison with the late Establishment of the Church of France. And the drawing and spreading of such comparisons cannot be defended; as they are founded on erroneous principles, and are calculated to introduce an unjustifiable and dangerous experiment. But "No man should enviously regard the pro-"perty of the Church, or consider it as the he-"reditary possession of any particular class of "people. The property of the Church is, indeed, "the real property of those who at present possess "it, but it may be esteemed the reversionary pro-

"perty of every family in the kingdom; it is "somewhat that every man hath a title to, over "and above that which he can produce his parch-"ments for. Look at the possessors of Bishop-"ricks, Deaneries, Prebends, Rectories, and all "other emoluments of the Church, and you will "find them descended from the Nobility, the "Gentry, the Commonalty, from all ranks, pro-"fessions and orders of the State. I say, again, "the property of the Church ought to be con-"sidered, as the property of the Kingdom at large; "I do not mean, inasmuch as it is a part of the "kingdom, which is given to the Church by the "common or statute law of the kingdom; but as "the individuals who enjoy it, are or may be, in a "succession of years, taken from every family in "the kingdom *."

The Church Reformers, unwilling to give up their favorite scheme of an alteration or reduction in the present Establishment, yet start an objection, in the following terms.

In the earliest days of Christianity, they say, the poor were maintained out of the Church stock, which practice was not of short duration, but prevailed more or less through a great many subsequent ages: at first, it was enjoined by the Church, in conformity to the apostolic usages; but, when the Clergy became invested with a legal right to tithes, it was then sanctioned by civil authority also: the possession, therefore, of tithes by the

* Bishop Watson's Letter, before cited.

Clergy, to their own separate use, must have been obtained by improper means, and confirmed only by the forbearance of the Laity: and the continuance of it defrauds the poor of their right, and throws an unnecessary burthen on the community.

Though these premises may be in part correct, it does not follow, that they are wholly so, or that the conclusive objection drawn from them, is well founded.

It would be easy to obviate it, more particularly and extensively, by a view of the origin and history of Cathedral, Collegiate, and Parochial Churches, Religious Houses, and those instruments of Norman oppression, Appropriations. All which would prove, that the custom of providing for the poor, out of the property of the Church, gradually declined from a variety of causes, though chiefly from the shameful plunder of the parochial incomes, and the consequent poverty of the Parochial Clergy; that, in the course of many centuries, it imperceptibly and almost wholly wore away, so that, long before the Reformation, many provisions had been made by the statute law of this kingdom for the regulation and relief of the poor; and that, on the suppression of the monasteries, when the scanty remnant of ancient monastic charity and hospitality was finally annihilated, it was found indispensibly requisite, (after various ineffectual methods had been attempted for upwards of sixty years,) to pass an act, in the latter end of Queen Elizabeth's reign, obliging every parish to maintain its

own poor. And thus, whatever might have been the ancient custom, or in whatever manner it might have formerly affected the interests and possessions of the Clergy, yet it was then completely done away, by an act of the State.

To question, then, the right of the existing Clergy to their Revenues, to raise doubts, whether their revenues have been assigned to them, as a real or an usufructuary property, and to suggest that the exclusive enjoyment of them by the Clergy is a very doubtful point of equity, can tend to no good in the present state of things. For, though it be allowed, that tithes were originally voluntary, they have been rendered obligatory in this kingdom near a thousand years ago; and, though it be granted, that formerly a part of them was applied to other pious uses as well as to the maintenance of the Clergy, they have nevertheless descended to the Clergy now in being, and (with great reason after suffering so considerable a diminution of them) been assigned to the Clergy as their sole property, under the most clear and undeniable sanctions of the Legislature of this kingdom.

The objection is, therefore, groundless; and it not only betrays an unpardonable ignorance of the positive laws of this kingdom, and of the decisions of our courts of law and equity in support of the Clerical title to tithes, but it is also wholly inapplicable to the Clergy of the present day, or their predecessors for the last two hundred years; the State or Community, by the act of the forty-third

of Elizabeth, having obliged all persons, indiscriminately, whether of the Clergy or Laity, to contribute to the maintenance of the poor, in fair and equitable proportion, according to their property.

In this review of the Revenues and numbers of the established Clergy in England, it is presumed, that enough has been advanced to show, that the Abolition of the Dignified Clergy, and the application of their Revenues to other religious and pious purposes, or to the benefit of the State, would not compensate for the bad effects, intimately connected with such a measure: that the Equalization also of the Incomes of the Parochial Clergy would not be accompanied by proportionable advantages, but would be eventually productive of the most injurious consequences to the religious and political interests of the nation: that the situation and circumstances of the Clergy, and Established Churches in other Kingdoms, cannot be admitted in England, from local and particular considerations: that the Ecclesiastical Revenues, are neither misapplied, nor, in proportion to the number of the Clergy, unnecessary or enormous: and that, consequently, "though these Revenues may collectively appear "large, they afford a very moderate Competency to "the many Thousands, whose Subsistence depends "upon them."

CHAPTER THE SEVENTH.

ON THE AMOUNT OF THE TITHES, RECEIVED BY THE ESTABLISHED CLERGY, AND LAY-IMPROPRIATORS.

THE right of the Clergy of the Church of England to the Revenues with which they are endowed, and the amount of those Revenues, have been investigated in the preceding Chapters: in which have been shewn, that the right of the Clergy is founded in natural reason, Divine precedent, and positive law; and that the present income, derived from that right, is so far from being enormous, that it is, upon the whole, inadequate to the necessary and becoming support of the different branches of our Religious Establishment.

It remains, then, to shew further, that "These "Revenues, particularly the part of them arising "from Tithes, are neither burthensome to the "Individual, nor injurious to the Public;" against which, it hath been much the fashion of late, to throw out the most groundless and illiberal objections; every shaft, which ingenuity, wit, malice, or personal interest could devise, hath been leveled against them: insomuch, that there is hardly an imaginary or real grievance, with which this king-

dom is so pathetically said to be oppressed, which hath not been attributed to the payment of tithes.

To enumerate all such pretended grievances here, would be useless, as one only of all the heavy catalogue, seems to have any connexion with the present subject; and that is, the gradually increasing high price of wheat during late years. This hath been pointedly asserted to proceed from the taking of tithes, whether in kind or by composition; as it creates an obstruction to the regular and ample supply of the necessary articles of life.

But a rise in the price of corn has taken place not only in England, but generally throughout Europe, and particularly in Russia, where the rise of it, from 1781 to 1805, has exceeded the rise of it in England: that is, in that period, wheat in England rose 36¼, and in Russia 40 per cent.; barley in England 31½, and in Russia 37¼ per cent.; and oats in England 29¼, and in Russia 52 per cent *. Now, as the payment of tithes in kind could not have operated in raising the price of corn in Russia, (because, it is conceived, that no tithes exist in that kingdom, the maintenance of the national Clergy in Russia being derived from other sources,) and yet the rise of the price of corn in that country exceeded the rise in England, where the payment of tithes in kind still exists, how does it appear, that the alleged

* Annals of Agriculture, vol. xlvi. p. 155.

payment of tithes in kind in England could have had any operative effect in raising the price of corn in this kingdom? In France also, the price of corn has been greatly increased, though perhaps not so highly in every article as in England, and in other parts of Europe. But, as it was said in 1811, that the rise on the whole, in France, was fully equal to that in England, what effect then could the previous Abolition of Tithes in France, have had on the culture of corn in that kingdom, and in keeping down the price of it, if the price of the commodity still continued to bear the same proportion, as in England? The price of wheat, in particular, in France, ought to have been greatly below, instead of being nearly equal to the price of it in England, if the payment of tithes in kind could possibly have effected the culture of corn: because in France, the arable lands, except the very poorest soils, on which rye is substituted, are almost entirely under wheat; and "compared with the exertions in raising wheat, "all others in the agriculture of France, are as "nothing *."

And, therefore, before the payment of tithes in kind be admitted, to create an obstruction to the regular and ample growth of corn, let us search more accurately into the cause before assigned, and ascertain, how far a correspondence can, and actually does subsist between

* Annals of Agriculture, vol. xlvi., p. 162.

them. Let us inquire, how far the payment of tithes affects the interests of the Land-occupiers; and, if it shall appear, that they are not individually burthened, it will follow that the nation cannot be injured in her political capacity; and that, therefore, the late high price of wheat is not to be ascribed to the practice of paying tithes in kind, or of compounding for them in money.

To shew, that the Land-occupiers are not individually burthened, let us state the Annual Amount of the Landed Rental, and of the gross produce of the kingdom arising from Land and Animals; the Proportion of this Rental, or this Produce, subject to the payment of Tithes; and the Value, in kind or money, probably received by the Clergy and Impropriators, on account of the Tithes of that Produce.

The extent of the lands in England *, employed in agriculture, has been variously computed. But it appears to have been lately ascertained, at least as accurately as can be effected without an actual survey and measurement, that England contains 38,500,000 statute acres †: and that, if one-seventh part be deducted for cities, towns, and all buildings, with all roads, waters, absolute wastes, &c. the remaining 33,000,000 of acres will be the quantity of land employed in agriculture.

* Whenever England is mentioned, Wales must be always understood to be included.

† Dr. Beeke on the Income Tax, 1800, p. 14.

Towards approximating to the actual rent or value of these lands, the agricultural reports for the several counties in England, (one half of which specify the average rents of lands in each county,) may be quoted as authority for assuming 20*s.* per statute acre, as their general rent or value; nor can it be esteemed an overvaluation of land under any tolerable degree of cultivation, as, a few parts of the kingdom excepted, it is scarcely credible, that cultivated land* lets at such an inferior price in the present times. But superior authority may be brought forward, for valuing the lands under agriculture in England at an higher rate. In 1805, it was stated by a most able and acute financier, that "the annual rental of England alone,

* "I apprehend that the expression, cultivated land, is "used with very unequal latitude by different persons, and "that it is not easy to fix its precise meaning. I mean by "it, in a large sense, all lands, whether inclosed or not, "whose present produce is rendered more valuable by any "species of improvement, however small; and however "scanty that produce may still be; and also of all common-"able grazing grounds, which from their superior fertility "are usually classed with cultivated lands, though not "strictly such, because no labor is ever bestowed upon "them. Using the words in this large sense, I take 33,000,000 "for the number of cultivated acres; and this computation "still leaves out, as wastes, many large tracts of land which "belong to individuals, and to whose cultivation there is "no impediment but the disinclination of their owners. "The commonable wastes are, no doubt, too many; but "their extent has been greatly exaggerated." Dr. Beeke on the Income Tax, 1800, p. 7, note.

" was 37,000,000*l.*: including Scotland, it was " 40,000,000*l.* sterling. The produce of land had " been calculated under the mark many years ago, " and since which great improvements had been " made; in no case was it calculated at less than " three times the rent; in many it was five or six " times that amount; but taking it moderately at " four times the rent, the annual produce would " then be 160,000,000*l.* sterling*."

To these circumstances may be added, that, since the publication of a large portion of the county agricultural reports, and the date of the before cited declaration in Parliament, the rent of lands has been so astonishingly increased, that it is scarcely possible, that the average rent or value of the agricultural lands in England can be under 25*s.* per statute acre; and that the gross rental of of the agricultural part of the kingdom amounts to full £40,000,000 per annum. And that this is not an unfounded assumption, let the following statements and authorities be duly weighed and appreciated.

The author of the " Wealth of Nations," if a reliance may be placed upon his information, or a judgment formed on the basis of his opinion, (though it must be remarked, that his information is of forty years standing,) says, that " the rent " of land, that portion of the produce which be-

* Mr. Pitt's Speech on the Husbandry-Horse Tax, March 12, 1805.

" longs to the proprietors, is scarcely any where " in Great Britain supposed to be more than a " third part of the whole produce *." Now it will be immediately shown that the whole gross annual products derived from the agricultural lands in England, are worth on the average about £136,000,000; which being apportioned between 33,000,000 of acres, will give an average produce to each acre of £4 and upwards; and of which £4 one-third, or £1. 6s. 8d. will be the annual rent or value of each acre, or " that portion of the pro- " duce which belongs to the proprietors."

The annual agricultural product of Great Britain and Ireland, in " wheat, barley, oats, rye, " beans, and pease, (valuing wheat at 70s. 6d. " barley at 37s. oats at 29s. rye at 43s. 10d. and " beans and pease at 38s. 10d. per quarter,) with " hay, grass, vetches, clover, hops, turnips, pota- " toes, gardens, nurseries, and orchards, was esti- " mated in 1814 at nearly £207,000,000 †;" to

* Wealth of Nations, vol. 3. p. 257. But it is said, that " three times the rent is not by any means equal to the value " of the produce of land under the best systems of husbandry " now in use, though, under the old exploded course, it was " not very distant from the truth; as under the more im- " proved courses of husbandry on land at and under 20s. an " acre, the produce is now more generally from five to seven " times the rent." Middlesex Agricultural Report, 1798, p. 57. How far this assertion is supported by fact, is best known to farmers and agriculturists.

† Colquhoun's Wealth, &c. of the British Empire, 1814, p. 89.

which may be assuredly added for the annual value of the produce of live stock of all descriptions, and other unspecified articles, at least £3,000,000 more, making a total product of £210,000,000 per annum; which being proportioned between the agricultural lands of England, Scotland, and Ireland, and supposing the lands in each kingdom to be equally productive, the proportion of England, at 33,000,000 of agricultural acres, will be about £136,000,000 *; the proportion of Scotland, at 5,000,000 of agricultural acres †, about £20,000,000; and the proportion of Ireland, at 13,000,000 of agricultural acres ‡, about £53,000,000.

The proportions of England and Scotland united, amount to £156,000,000; and they are strongly supported by Mr. Pitt's statement of their aggregate amount at £160,000,000, ten years ago: and, as far as calculations, founded upon the usual proofs of political arithmetic may be admitted in evidence, they prove the rent or value of the agricultural lands in England to be at this time most undoubtedly equal to 25s. per statute acre; and that the gross rent or value of the agricultural

* Estimated at £145,000,000, in the Essex Agricultural Report, 1807, vol. 1. p. 444.

† Sir John Sinclair's General Report of the Agriculture of Scotland, 1814, vol. 2. p. 335.

‡ Newenham's Natural, &c. Circumstances of Ireland, 1809, p. 61.

lands in England rises to full £40,000,000 per annum *.

This estimate may, at first sight, be questioned by those who have been engaged in statistical inquiries, as it so greatly exceeds the usual calculations of preceding writers. It is however presumed, that, as the authorities on which it is founded are derived from different sources, and bear with concurring weight of evidence on the same point, it is therefore deserving of credit, and not hastily to be rejected. And more especially, since, on the authority likewise of the Board of Agriculture, the average rent of arable land subject to tithes in twenty-four counties in England, from the north to the south, and from east to west, was stated in 1813 at 32s. per acre and upwards; and of arable lands tithe free, at an average of 40s. per acre †.

Having thus stated the annual amount of the landed rental, and of the gross produce of the kingdom arising from land and animals, let us proceed to inquire into "The Proportion of this "Rental or this Produce, subject to the payment "of Tithes."

The exempt, or tithe-free lands, that is, the lands which were formerly in the possession of the

* The witnesses examined by the Corn Committees, of the House of Lords and House of Commons, in 1813 and 1814, agree in stating that the rent or value of land had been doubled within the preceding twenty or twenty-five years.

† The Lords' Corn Committee Reports, in 1813-14, p. 143—146.

Greater Abbies have been variously computed. And, indeed, in all English ecclesiastical antiquity, there is scarcely a point upon which a greater variety of opinions hath been given than upon the true incomes of the regular Clergy, at the era of the Reformation.

Lord Herbert of Cherbury, who was born about forty years after the suppression, is allowed to have taken great pains in ascertaining the annual revenue of all the suppressed foundations; and he makes the total amount of that which belonged to the smaller and greater Abbies, &c. &c. dissolved by the acts of the 27th and 31st of Henry 8th, not to exceed £161,100 per annum *. And, upon a presumption that other lands have increased in value in the proportion, whether of ten, twelve, or even fourteen to one since that period, it will shew, that the present value of all such abbey lands, ought to be computed only in the same ratio, and to be stated as now amounting to either £1,610,000, £1,932,000, or £2,254,000 per annum.

It hath been contended, that, though Lord Herbert's account might have been true, in respect to the revenue actually received by the religious foundations, he is very erroneous in stating it to be the real annual value of the lands, from which

* Lord Herbert states this gross valuation, as "being above "one-third part of all our spiritual Revenues." Complete History of England, vol. ii, p. 218.

that revenue arose; as the Monks, &c. on foreseeing the storm which was coming upon them, leased out their most valuable estates and possessions at enormous fines and very low reserved rents: so that houses, whose yearly revenues are scarcely valued at £200 per annum, were really worth as many thousands.

This notion hath had many favorers; and authorities are quoted in the support of it. For instance, it is said, "The revenues of the Monasteries suppressed amounted to £161,000 sterling, "as they were then letten, the Priors of most of "them having sunk a great part thereof into their "own pockets*:" that "the clear value of all "the suppressed houses is cast up in an account "then stated to be £131,000 as the rents were "then related; but was at least ten times so much "in true value†:" and that "There were 190 "religious houses dissolved in England, whose "yearly revenues amounted to £2,853,000‡."

But all these assertions are justly to be questioned. In Acta Regia, and The History of the Reformation, no reasons are assigned in illustration or proof of the insinuation and opinion therein advanced; they rest only on mere supposition. And, though Burnet's notion is itself sufficiently extravagant and improbable, it is not half so ex-

* Acta Regia, vol. 3, p. 300.

† Burnet's History of the Reformation, vol. 1. p. 257.

‡ Broughton's Bibliotheca Historico-Sacra, article, "Abbey," vol. 1, p. 2.

travagant and impossible, as the positive declaration of Broughton; which is so far from being supported by any semblance of truth or probability, that it opposes the general tenor of our national history, and tends to prove, that of the £4,000,000 per annum, at which the landed rental of the kingdom had been valued about that period, the monastic orders alone were in possession of almost three-fourths *.

The meaning of the expressions in Acta Regia, and The History of the Reformation, if they have any meaning, must be, either that the Commissioners, appointed for the general survey of the possessions of the Religious Foundations, did not discharge their duty, but were favorable to the Monks, (notwithstanding it is certain, that the regular Clergy were at that time most generally disliked or ill-spoken of,) and rated their revenues at a tenth part only of their real produce; or that the fines and rents, at which the lands belonging to the Religious Houses were leased out and let, bore no proportion to the true value of them.

"But the estimate of the possessions of the "Religious Houses will not be much increased "by the supposition of their lands being let under "their real value: for, if they were held by lease,

* "The revenues of the Monks never did exceed the "proportion of a fifth part, and considering the leases they "granted to Laymen upon small rents and easy fines, it may "be truly affirmed their revenues did not exceed a tenth "part of the nation." Collier's Eccles. Hist. vol. 2. p. 108.

"and for long terms, their annual income could "not receive any great addition from fines paid "on renewals, nor the value of their estates be "much greater from their reversionary rights, on "the expiration of their leases. There were then "no restraining statutes; so that their leases "were probably for a longer term than corporate "bodies are now permitted to grant, and the in-"terest of money being also double what it is at "present, these two circumstances must have "considerably reduced the profits they could ex-"pect from fines on renewals. Nor, is it pos-"sible, their reserved rents should bear so small a "proportion to the real value of the land: no "proof is brought of the assertion, nor hath it "even been shewn, that the ruinous method in-"variably pursued for the two last centuries by "ecclesiastics, of fines on renewals, was then es-"tablished. To these considerations may be "added, that no inconsiderable part of their lands "was under their own culture, and therefore their "real value could not be affected by the preceding "causes *."

To all those who are inclined to believe that the revenues of the Religious Houses were greatly under-rated, it is recommended carefully to peruse the King's Writ, and the instructions, issued for the purpose of the valuation, with the preface

* Nasmith's Preface to Tanner's Notitia Monastica, 1787, p. 2.

to the return made by the Commissioners acting under them *. And, then let them judge whether any of the Commissioners would have been guilty of such temerity, as to be negligent in the discharge of the trust reposed in them, when subject to the vigilance, control, and superintendence of such a Minister as Vicar-General Cromwell; and more especially when employed in executing the commands of so suspicious and imperious a master as Henry 8th.

The instructions, and the authority conveyed by them, afforded the Commissioners every power and opportunity of investigation; and they do not appear to have been justly chargeable with having neglected any sources of information. We may therefore reasonably conclude, that, where any fraudulent leases had been made, (as they must have been at that time of modern date,) that the Commissioners accurately inquired into the real value of the property so leased, and rated it accordingly in their valuations; which were to be extended to all the possessions of the several Religious Foundations. And it is particularly enjoined, that, in making the valuations, "The whole "and entire value of each be made by themselves, "and that no deductions be allowed for reparations, fees, serving of cures, and other causes, "except annual rents, pensions, alms, synods, "proxies, and fees of office:" and, as this was to be done "at the utmost peril" of the Commis-

* Liber Regis, by Bacon, 1786, p. 3, &c.

sioners, so it may be brought in presumptive proof of their exactness, that the valuations in general are made even to the fractional proportion of a penny.

Hume, whose industry and accuracy as an historian have been greatly celebrated, gives not the least credit to the notion of an under valuation of the property of the Religious Foundations. He says, that "The whole revenue of the suppressed "Establishments amounted to £161,000." And then remarks, "It is worthy of observation, that "all the lands and possessions and revenue of "England had a little before this period (1538,) "been rated at £4,000,000 per annum; so that "the revenues of the Monks, even comprehend-"ing the lesser monasteries, did not exceed a "twentieth part of the national income: a sum "vastly inferior to what is commonly appre-"hended."

It is granted, however, that, as in almost all public taxations, it is utterly impossible to assess or rate every property according to its true value, but that more or less difference will be made, from various incidental circumstances, so, in respect to the revenues of the Religious Foundations, the valuations of them by the Commissioners were for the most part accurate, though sometimes not so; but even when inaccurate, by no means, surely, in the proportion of nine parts in ten. This clearly appears from the re-surveys, which were taken of the possessions of several Houses, after they became the property of the Crown: some of

these were found to be exactly valued, and others to be estimated at four-fifths, three-fourths, two-thirds, and (in a few instances) at only one half, of their real value. And, though it be scarcely possible, at the distance of more than two centuries and an half, to discover for a certainty how this came to pass, it serves however to shew, that, notwithstanding the Monastics might have been favored in the estimation of their revenues, it was in general in a very moderate degree, in comparison of Burnet's assertion.

Stating, then, the revenues of all the suppressed Religious Foundations to be under-rated on the average at a third part, Lord Herbert's sum of their collective amount at £161,000 will be increased to £214,000 per annum: which, when compared with the landed rental of the kingdom at that period, will nearly confirm Hume's opinion, that "The whole revenue of the suppressed "Establishments, did not exceed a twentieth part "of the national landed income."

But, whatever may have been the yearly amount of the revenue of all the suppressed Religious Foundations, at the Reformation or any subsequent era, the inquiry at present relates to that part only of it, which was appropriated to or possessed by the greater Abbies; whose lands alone were granted to the King, "discharged and "acquitted of payment of tithes, as freely and in "as large and ample manner, as the said Ab-"bots, Priors, and other Ecclesiastical Governors "held and enjoyed the same." And of these

lands, it is generally said, that those parts only were discharged, and from such tithes only, from which they had been already discharged, at or before the dissolution of the greater Abbies by the 31st of Henry 8th.

" All Abbots and Priors, and other chief Monks " originally paid tithes as well as other men, until " Pope Paschal the Second exempted generally " all the Religious from paying tithes of lands in " their own hands. And this continued, 'till Ha- " drian the Fourth restrained the exemption to " the three orders of Cistercians, Templars, and " Hospitalers; unto which Innocent the Third " added a fourth, the Premonstratenses. And this " made up the four orders, commonly called the " Privileged Orders; for that they claimed a pri- " vilege to be discharged of tithes by the Pope's " establishment. The Lateran Council in 1215, " further restrained the said exemption from tithes " of lands in their own occupation, to those " lands which they were in possession of, before " that Council. But the Cistercians afterwards " procured Bulls to exempt also their lands which " were letten to farm: which practice was re- " strained by an Act of Henry 4th, which forbid " them to put the said bulls in execution, or to " purchase any such exemptions for the future: " and left their privileges, under a limitation to " such lands only as they had before the Lateran " Council aforesaid; and it is certain, that they " obtained many lands after that Council, which " therefore were in no wise exempted: And also

" the same statute left them subject to the payment
" of divers compositions for tithes of their demesne-
" lands made with particular Rectors; who, con-
" testing their privileges even under that head,
" brought them to compound.

" Upon the whole: Not all lands that belonged
" the religious houses in general are discharged
" from tithes; but only such lands are capable of
" discharge, as belonged to the houses which
" were dissolved by the statute of 31st Henry 8th.
" And not all those lands, which belonged to the
" religious houses dissolved by that statute, are
" discharged from tithes; but only such of them
" as were discharged at the time of their disso-
" lution. But what shall be sufficient evidence of
" such discharge, and of the manner of such dis-
" charge, that is, whether by order, bull, compo-
" sition, or unity of possession, at this distance
" of time, seemeth difficult to determine with pre-
" cision; as strictness of proof may be more or less
" requisite according to the particular circumstance
" of the case. In Lamprey versus Rooke, 1755,
" Lord Hardwicke declared his opinion, that if lands
" appear to have been part of the possession of
" any of the great Monasteries (which were dis-
" solved by statute 31st of Henry 8th,) and there is
" no evidence of the payment of tithes for those
" lands at any time, Courts will consider them as
" discharged, by some way or other, before the dis-
" solution, in the hands of the Abbot, &c.; and
" that it is sufficient to allege, that they were
" part of the possessions, &c., and were, at the

" time of the dissolution, by prescription, compo-
" sition, or by other lawful ways and means, dis-
" charged from payment of tithes*."

The Greater Abbies, according to the most correct and authentic list hitherto made public †, were in number 187, and were in possession of a revenue, as valued by the Commissioners, amounting to £108,000 per annum; and to which, if we add one third part of the same sum, according to the result of the preceding discussion, their annual revenue must have arisen to £144,000. Without having recourse to the original survey, it is impossible to ascertain, precisely, the proportion of this revenue, depending on appropriate tithes and parsonages. But this most undoubtedly may be advanced as true, that, of 3,845 impropriations and appropriations which are now supposed to exist, the Monastic Bodies were in possession of two-thirds, or 2,560; and which, supposing each of them on the average to have produced only £10 per annum, must have reduced the revenue of the Greater Abbies, arising from their landed estates or farms, to less than £120,000, a year, at a very high computation: such as possibly would not stand a closer or more particular examination, but is here generally admitted, towards the illustration and proof of the point in question.

* Burn's Ecclesiastical Law, article, Tithes, Abbey Lands.

† Tanner's Notitia Monastica, by Nasmith, 1787, p. 50.

Now, whether the rents and profits of the landed estates, belonging to the Greater Abbies, and amounting at the dissolution to £120,000 per annum, be stated, as having increased since that time, as other Church property is supposed, (not that any difference can really be imagined to have taken place, in respect to the increased value of the Abbey lands, and of those which never belonged to either the Regular or Secular Clergy,) in the proportion of ten, twelve, or even fourteen to one, the Abbey lands cannot have increased in value, in a greater degree, or to a greater amount, than £1,200,000, £1,440,000, or £1,680,000 per annum: that is, even at the highest computation of their real value, at the suppression, and at this time, the Abbey lands cannot now be annually worth more than a little above one half of the sum, they are usually presumed to produce, namely, £1,680,000, instead of £3,000,000 per annum.

The present gross value, then, of the exempt or tithe-free lands, on account of having been part of the possessions of the Greater Abbies, might be fairly estimated, in the nearest whole numbers, at £1,700,000 a year; but, to give every reasonable allowance, it shall be taken at £2,000,000 per annum. And, thus, the proportion of the landed rental of the kingdom, out of which no tithes are paid, in consequence of their arising from the totally or partially discharged Abbey lands, is about one-sixteenth or one-twentieth part of the agri-

cultural rental, just as the lands are valued at 20*s.* or 25 s. per statute acre, and amount to £33,000,000, or £40,000,000 per annum.

But the Abbey lands are not the only lands exempt from tithes. There are others, to a very considerable amount; some of which are virtually freed or discharged, by the payment of moduses and ancient compositions, and by claims of prescription; and others actually by acts of Parliament under bills of enclosure, &c. &c. The virtual exemptions extend, sometimes to all the produce of the estates claiming them, and sometimes to a part only, or to particular articles of growth and increase: however, in general, they relate to small tithes; and the sums of money, paid to the Parochial Clergy on account of them, are usually very inconsiderable. Where they extend generally throughout parishes, or to many articles of increase, the incumbents of such parishes are greatly impoverished, and, in process of time, must be reduced to the necessity of placing their chief dependence, on the insufficient emoluments, derived from their glebes and surplice fees; and more especially, since it commonly happens, that these exemptions prevail most in those parishes, whose great tithes and most valuable glebes are impropriate.

It does not immediately appear an easy task, to ascertain the quantity of rent, land or produce virtually discharged from tithes, in consequence of the small established payments in lieu of them, and

of the other claims of exemption: all which are common in some hundreds and counties, and scarcely known in others. The number, however, of parishes throughout the kingdom will furnish a basis for some estimation of the quantity. And, taking the whole number of the agricultural or country parishes at 10,000, and allowing such a proportion of the produce of each, (as would afford to the land-owners rents equal to £300 a year,) to be covered by any of the foregoing claims, payments, &c. &c. the result will be, that the quantity of land or rent virtually and actually discharged from tithes, by moduses, ancient payments, prescriptions, compositions and commutations by Act of Parliament, &c. &c. is equal to £3,000,000 per annum.

This computation of the total quantity of land in England, either absolutely or virtually discharged from tithes, by means of having been part of the possessions of the Greater Abbies, or of paying only small sums of money in lieu of tithes, or by reason of commutations in land, corn, &c. is conceived to be well founded; as it embraces between a sixth and seventh part of the agricultural lands, and nearly coincides with the statement of an acute calculator, who after a close examination has estimated them at a seventh part*. And, deducting these two sums, amounting together to £5,000,000 per annum, it will appear, that the

* Dr. Beeke on the Income Tax, 1800, p. 34, note.

proportion of the landed agricultural rental of the kingdom subject to tithes, is either £28,000,000 or £35,000,000, according as the lands are valued at 20s. or 25s. per statute acre, and amount to £33,000,000, or £40,000,000 per annum.

From having considered the annual amount of the landed rental, and of the gross produce of the kingdom, arising from land and animals, and the proportion of that rental or that produce subject to the payment of tithes, let us turn our attention, to "The Value, in kind or money, probably re-"ceived by the Clergy and Impropriators, on "account of the Tithes of that produce."

The titheable produce of the kingdom consists of wheat, barley, rye, oats, pease, beans, vetches, hay, clover, artificial grasses, hops, fruits, turnips, potatoes, garden vegetables, flax, hemp, seeds, dyers' plants, calves, lambs, colts, pigs, eggs, wool, milk, wood, agistments, &c. &c. The tithe, or tenth part of all these various articles of increase, was originally vested, by the positive law of the land, in the Clergy alone; and, were there extant no impropriations, claims of exemption, moduses, prescriptions, &c. would be still due unto, and recoverable by them: And this gross produce having been estimated on the authorities before mentioned at £136,000,000 per annum, (that is, at about four, or three and a half times the amount of the landed agricultural rental, according as it is taken at 20s. or 25s. per statute acre, and may arise to £33,000,000 or £40,000,000 per an-

num,) the parochial Clergy would have had an equitable and legal right to an annual revenue of £13,600,000 *, exclusive of their glebes and other emoluments.

But, however, of such a considerable revenue, though primarily designed for the Clergy only, a very moderate proportion is received at present, either by them, or by the possessors of the lay-impropriations. The revenue which ought to arise from tithes, is so diminished by the several methods of absolute and virtual discharge above recited, that the right itself to tithes does not extend to more than 28,000,000 of acres of the agricultural lands in the kingdom: which, valued at only 20s. per statute acre, and calculating the average annual produce as equal to three and an half rents only, or £98,000,000 per annum, would give to the Clergy and Lay-Impropriators, (as will appear hereafter,) a revenue nearly three times as large as their present one, provided the just tenth was paid unto them, or a composition equal to its value.

This circumstance affords a strong presumption in favor of the moderation of the parochial Clergy and Lay-Impropriators, in respect to the compositions demanded by them in lieu of their tithes: which will be more clearly seen, by going into a particular detail of the revenues of each, and by ascertaining the sums probably received by each of them on account of tithes.

* That is, subject to all Parliamentary and Parochial charges.

The annual revenues of the parochial Clergy have been stated at £2,557,000. But it must be remembered, that these revenues arise as well from glebe and augmentation lands, with surplice-fees, as from tithes in kind or by composition. The annual value of the augmentation lands has been shewn to be about £100,000; and the glebe lands and surplice fees of each parish can scarcely be estimated on the average under £40 *, per annum, which, according to the number of 10,649 parochial Benefices in the Kingdom, and in conjunction with the value of the augmentation lands will amount to nearly £526,000: and which being deducted from the gross Revenue of the parochial Clergy as before stated, will leave £2,031,000, as the actual Receipt from the Tithes in their possion.

The Impropriations are usually estimated at 3,845 in number †; and of these, about one-third belong to the Bishops, Dignified Clergy, and two Universities ‡, and the other two-thirds to the Lay-Impropriators: and the Laity are also lessees of the one-third belonging to the superior Clergy and Universities. According to a computation

* "The Glebe lands belonging to the Parish Churches, at "the highest value at which they could be laid" about a century ago, were estimated at £50,000 per annum. Prideaux on Tithes, p. 83.

† Camden's Britannia, by Gough, vol. i, Introduction, p. 190.

‡ Liber Regis, by Bacon.

published about twenty-five years ago *, (which however did not specify the proportions of it arising from tithes, and from the glebe lands generally attached to the Impropriations,) they were then valued at only £75 per annum each on the average, and collectively at £288,375. Which computation being most probably very erroneous, the collective income of the impropriations from tithes alone at this time, shall be taken at £1,538,000 per annum.

That this collective annual value of the impropriations in tithes only, is a most liberal and extended one, will be set in a clearer view, when the virtual reduction of the estimated number of the impropriations is duly considered. 1st, The deductions, which must be allowed out of their value, on account of the glebe lands usually annexed to impropriations in general. 2dly, The great number of Vicarial Parishes which are situated in large cities and towns, and the impropriations of which parishes can be scarcely of much, if of any value whatever. 3dly, The number of the Impropriations, which are either partially or wholly restored to their respective Vicarages, and in whose incomes the value of such restored Impropriations are necessarily included. 4thly, The number of Impropriations, which have been purchased by the Landed Proprietors, and have been divided in due proportion to the freeholds of the several Estates. And 5thly, The number of Impropriations, which in parishes where enclosures have taken place,

* Annals of Agriculture, vol. xviii. p. 516.

have been either partially or wholly commuted or abolished by allotments of Land. From one or other of these causes, the impropriations, in all apparent probability, are virtually reduced to two-thirds of the number of them commonly supposed to be now existing, or to 2,563; which at £600 per annum each on the average, (and which is perhaps an exaggerated valuation,) will amount to £1,537,800.

That the valuation of the existing Impropriations at £600 each per annum, is carried to its utmost extreme, will appear from an approximation formed on the following data.

According to a statement in the Middlesex Agricultural Report, (as reduced or proportioned according to Dr. Beeke's estimate of the total number of acres in England and Wales,) there are annually under wheat, 3,160,000 acres; under rye, barley, oats, peas and beans, 3,730,000 acres; and under clover, hay, &c. 1,150,000 acres. Estimating the produce of wheat, at three quarters per acre, and at 80*s.* per quarter, the annual value of the wheaten tillage at £12 per acre, will amount to £37,920,000: estimating the produce of rye, barley, &c. at two-thirds of the value of wheat or £8 per acre, the annual value of the rye, barley, &c. tillage, will amount to £29,840,000: and estimating the produce of the clover, hay, &c., at £4 per acre, the annual value of the clover, hay, &c. crop, will amount to £4,600,000. These three sums, making a total of £72,360,000, shew the actual value of the tithes of corn and hay to amount

to £7,236,000 per annum. And this sum, when divided between 10,000 parishes, (allowing the before stated odd 649, for parishes in cities, towns, &c. where the tithes of corn and hay can be of little or no value in respect to calculation,) will give to each parish £723, as the annual gross produce or value of the tithes of corn and hay in such impropriated parish: and when from this amount, one-fifth only (though most probably one-third is nearer the truth,) is deducted as relinquished on the average by composition, the remaining £579 will be the average annual gross receipt from each impropriation; but subject, according to varying circumstances and agreements, to parliamentary, parochial, and other outgoings. In this approximation, the values of the wheat, rye, &c., and clover, &c. crops, are stated at very high average prices; and will therefore be most probably more than sufficient to cover the value of all those small tithes, which in some impropriated parishes are more or less included in the Impropriation.

It appears, then, that the total receipt from the tithes in the possession of the Parochial Clergy and Impropriators, whether paid in kind or accounted for by composition, amounts to £3,569,000 per annum: which in proportion to that part of the agricultural lands in the kingdom subject to the payment of Tithes, namely, 28,000,000 of acres, and valued or rented at 15s., 20s., or 25s., per statute acre, will be under 3s. 5d. in the pound at 15s. per acre, a little above 2s. 6d. in the pound at 20s. per acre, and a little above 2s. in the pound at 25s. per acre.

And thus, notwithstanding the positive and repeated assertions to the contrary, tithes are on the average compounded or accounted for at a very moderate rate, not greatly exceeding an eighth part of the titheable rental of £28,000,000, instead of the tenth part of the titheable gross produce of £98,000,000, estimated as equal to three and one-half rents; the Parochial Clergy and Impropriators together (valuing their united receipts very high, and the titheable rental at the medium calculation of 20s. per acre) receiving only £3,569,000 per annum, or rather more than one-third part of their legal right: a fact strongly manifesting the disinterested and honest grounds, on which are raised the clamours against the payment of tithes.

CHAPTER THE EIGHTH.

ON THE INFLUENCE OF TITHES ON THE NATIONAL AGRICULTURE.

HAVING brought to a conclusion, the inquiry into the annual amount of the Landed Rental, and of the gross produce of the Kingdom, arising from Land and Animals, and shewn the proportionable part of that Rent or Produce, subject to the payment of Tithes, to be lightly assessed on that account, in comparison of the real value of such tithes, it may be asked, How does it appear, that the land-occupiers are burthened by the present system of paying tithes in kind or by composition? The question refers to the land-occupiers, and not to the land-owners; since the latter, whether freeholders, copyholders or leaseholders, occupying their own estates, bear a very small proportion in point of number, to the absolute rack renters*, either for long or short terms of years.

There is no farmer, who does not compute

* "The extent of land under the cultivation of mere renters "and cultivators of the soil, is perhaps twenty times as great "as that under the cultivation of the immediate proprie- "tors." Howlett's Influence of Tithes on Agriculture, 1801, p. 33.

" before hand what the Church tithe is, one year " with the other, likely to amount to *." He undoubtedly observes the same plan, in respect to all other outgoings, and gives a rent proportionable to the several deductions, of whose amount he is thus apprized. How, then, is he aggrieved, when the payment of any of these outgoings or charges are demanded of him? He hath equal reason to complain of paying his landlord the rent, for which he agreed with him. But he is aware, that the farm belongs to his landlord; and that, in justice and honesty, he ought not to make use of it for his own emolument, without paying a compensation for it. And he ought also to know, that the tithes of such farm are no less the property of those, to whom the law of the land hath given them; and, to secure the value of which to the rightful owner, his landlord permits him to occupy his farm at an inferior rent, to enable him to pay that tithe, or tenth part, as justly as he pays the other nine.

The following extract from an excellent pamphlet will more amply illustrate this part of the subject. " If an estate is left or sold subject to the " payment of a tenth of the produce to the Clergy " or to any other body, for any purpose that shall " be directed, that tenth part is as much the pro- " perty of that body, as the other nine tenths are " of the person who inherits or buys the estate. " Subject to this payment, all the estates, now

* Wealth of Nations, 1811, vol. iii. p. 277.

" chargeable with tithes, have descended by inhe-
" ritance, or come by purchase, into the hands of
" the present possessors; and it would be as un-
" just to take that tenth from the Clergy, as to
" take away the remainder from the persons, who
" are now in possession of the estates. They can
" have no right whatever to it. They, or their
" ancestors, bought their estates with this condi-
" tion or charge entailed on them. In fact, they
" bought but nine parts; and to the other tenth,
" have no more right than to any other estate in
" the neighbourhood *.

* " There are some violent complainants against Tithes,
" whom it would be impossible to satisfy. Such who are
" land-owners, forget that they purchased their estates
" cheaper by reason of the tithes being issuable; tenants
" also forget that they take their farms at a cheaper rate on
" the same account." (Salop Original Report.) " The
" permanency of the title to tithes rests upon the same basis
" as all other estates in the kingdom. How idle the various
" schemes proposed for fresh regulations! Some thoughtless
" farmers take farms without ever thinking that one tenth of
" the whole produce of such farms are private and distinct
" property; and consequently set their faces against the
" Clergyman, as one who exacts an extortion from them."
(Norfolk Report, by Kent.) " Chief-rent to the Lord of the
" Manor; tithe-rent to the proprietor; tax-rent to govern-
" ment, &c. are in fact paid by the landlord; and were
" either tithe-rent or tax-rent, or both together abolished,
" the tenant would not be eased of his burthen. All the
" change he would experience, would be the reduction of
" the number of his landlords, not of the rent paid; paying
" to one landlord, or two landlords, instead of three, with-
" out having the aggregate rent reduced." South-Wales
Agricultural Report, 1815, vol. i. p. 184-6.

"Besides, suppose it were otherwise, and the "tenth or tithe were to be abolished, it would "not put a farthing into the pocket of the farmer. "It would be his landlord that would be the gainer "not he. The landlord would immediately ad- "vance his rent to the full amount of what was "used to be paid in tithes, and would tell his te- "nant, that, as he now lets his estate tithe-free, or, "in other words, lets him the whole estate, of "which he had before let him only nine-tenths, "he expects an increase of rent, not only equal "to what the Clergy claimed, but considerably "more; for farmers need not be told how "much more easy the Clergy are in receiving "their tithes than those Lay-Impropriators or "private gentlemen, who have great tithes in "their hands. Even, if tithes were taken away, "and a compensation made to the Clergy by a "parish-rate, the farmers would be the losers; "for the landlords would advance their rents, in "the manner and proportion aforesaid, the pa- "rish-rates would be greatly increased, and that "increase, with the other parochial outgoings, "would be left to be wholly paid by the te- "nants *."

In the early part of the French revolution, "the Democratic Members in the First Assembly, "wished to consider tithes as a feudal tax levied "on land: to which it was replied with much

* Duties of Man, in connection with his Rights, 1793, pp. 41, 42.

" legal knowlege and precision, that tithes were " not a tax imposed agreeably to the feudal sys- " tem, but a simple rent-charge laid upon their " estates by the original proprietors for the main- " tenance of religion among their tenants and " vassals; that the actual proprietors had pur- " chased their estates, subject to this rent-charge; " and that by transferring it from the hands of " the Clergy to those of the landed proprietors, " only the aristocratic interest would derive any " benefit *."

* History of the Reign of George III. vol. iii. p. 445. " Tithes, strictly speaking, are not a tax, though with an in- " vidious view represented as such. And much mischief " arises from the adoption of improper terms, such espe- " cially as carry with them a false association of ideas, in- " jurious to any individual, or class of men. I wish there- " fore to take off the unjust impression, that a Clergyman, " when he is setting his tithe, is collecting and striving to " increase a tax from his parishioners for his own use; which " will be done effectually by explaining the word Tax. A " tax is a portion of the property of the subject, levied by " law, for the public use. Now tithe of the produce of the " land, though raised by the industry of the farmer, is not " his property. It was not his landlord's, not being com- " prised in the Royal Grant of the Lands; and, if it were " lost to the Clergy, must revert to the Crown, the fountain " of property. (Lord Coke, as elsewhere observed, calls " tithes, an ecclesiastical inheritance, collateral to the es- " tate of the land.) Again, the portion of tithe paid to the " Minister of a parish is not levied for the public use; for he " is retained to perform religious services for the inhabitants " of that particular parish only, and should be paid by those " whom he serves. His not being appointed by them, is no " objection; his nomination is in the hands of those, who

It is contended, that when tithes were first civilly ordained in England, the growth of corn must have been almost spontaneous, and inconsiderable in quantity, the lands being nearly in a state of nature, and chiefly appropriated to pasturage: that it appears from the laws of Ina, King of the West Saxons, who reigned in the seventh and eighth centuries, that agriculture must have been then little known, as a quantity of land consisting of ten Hides (supposed to contain 1,200 acres) were appointed to pay only the following provisions; namely, ten casks of honey, three hundred loaves of bread, twelve casks of welsh or strong ale, thirty casks of small ale, two oxen, two full grown rams or ten wethers, ten geese, twenty hens, ten cheeses, one cask of butter, five salmons, twenty pounds weight of fodder, and one hundred eels *: and that, therefore, it was never

" have not only a more competent judgment, but a better " right; for he is appointed either by the Crown, the foun- " tain of property; the representatives (either by descent or " purchase) of the Lord of the Manor, who founded the " parish; or the Bishop, or other person, to whom the " right of advowson was transferred either by the King or the " Lord. And the purchaser or renter of lands took his " interest in them on this footing." Bishop Woodward's Present State of the Church of Ireland, 1787, p. 47.

* Wilkins's Anglo-Saxon laws, p. 25. On this law or ordinance, Wilkins has remarked, that " the Legislator has " not added, whether these provisions were to be paid as a " Royal tribute, and whether annually." And therefore it does not afford more than bare presumptive evidence, that this quantity of provisions is to be considered, as having

the intention of the Legislature of that period, to invest the Clergy with a right to tithes, in a modern sense, and to the extent at which they are at present demanded and supported by law, the tenth of the increase, instead of the tenth of the profit.

been the rent, or sole compensation for the privilege of occupying 1,200 acres of land, the property of another landowner, in the reign of Ina.

To the twenty pounds weight of fodder, it has been objected, that it could never have been the actual meaning and intent of the law or ordinance; and that probably loads were intended. But without using great violence with the original Saxon words, "Twentig pund waga fodres," no alteration can be made to elicit the proposed meaning. In Lye's Dictionary, it is indeed said, that "pund" is sometimes used as an expletive, and the words of this law or ordinance, "twentig pund waga," are quoted as an example, and rendered "viginti pondo." Yet to force or convert twenty pounds weight into twenty "loads," not only the word "pund" must be either expunged from the passage, or admitted to be a pleonasm in it, but the next Saxon word "waga," weight, must be emended into "wagn or wægn," a wagon; and having used this great liberty with the Saxon text, the word wagon must then be taken as synonymous with loads, that is, wagon-loads. Critical editors would be happy, if such a canon of emendation could be admitted into their elucidatory practice: it would abridge their labors; and enable them to untie many a gordian knot, which has hitherto baffled their most patient and penetrating researches. But unfortunately happens for all those who may be inclined to think, that twenty wagon-loads were intended by the law of Ina, that the learned historian of the Anglo-Saxons translates the passage, "twenty pounds weight of fodder," without expressing any doubt of the authenticity of the text, or introducing any comment whatever upon it. Turner's History of the Anglo-Saxons, vol. iv. p. 199.

In answer to this suggestion, may be urged the charters of the early Saxon Monarchs, in respect to tithes; in which the payment of them is commanded out of all the products (and not of the nett profits) of the ground, as well as of the cattle. And, if it be allowed that the revenues of our Kings in those days could not be paid, through want of specie *, in any other way than in a pro-

* "Though Alfred the Great was one of the richest of our "Anglo-Saxon Kings, he bequeathed no more by his last "will at his death in 900, than £500 to each of his two sons, "and £100 to each of his three daughters. This was no "more than £1,406. 5s. of our money to a king's son, and "£281. 5s. to a king's daughter: a sufficient proof of the "great scarcity of money in England in the age of Alfred "the Great." Henry's History of Great Britain, book II. ch. vi.

"In the early days next after the Norman Conquest, (if "we are rightly informed,) there was very little money, in "specie, in the Realm. Then the tenants of knight's fees "answered to their lords by military services; and the te-"nants of socage-lands and demesnes (in great measure) by "work and provisions. The ingenious author of the Dia-"logue concerning the Exchequer tells us, that from the "time of the Norman Conquest, 'till the reign of Henry I. "the rents or farms due to the king were wont to be ren-"dered in provisions and necessaries for his household; and "that in King Henry the First's time, the same were changed "into money. Afterwards in succeeding times, the Reve-"nue of the Crown was answered or paid in, chiefly, gold "and silver; sometimes in palfreys, destriers, chascurs, leve-"riers, hawks and falcons, (to wit, in horses, dogs, and birds "for game of divers sorts, and in things of other kinds." Madox's History of the Exchequer, vol. i. p. 272.

And a Parliamentary Debate in 1523, affords strong evi-

portion of the absolute produce of the soil, it consequently must be admitted that the Clergy could not have received their tithes by any other method than in kind; and necessarily must have been paid the tenth part of the gross produce.

"It is to be remarked," says Hume, "that in "all ancient times, the raising of corn, especially "wheat, being a species of manufactory, that "commodity always bore a higher price, compared "to cattle, than it does in our times." (Hume's History, Appendix I. vol. i. p. 227.) It is therefore a most improbable suggestion, that the corn produced in England at the era of Ethelwulph's charter was nearly of spontaneous growth, as the Anti-Tithists assert. For, being a species of manufactory, the production of it must have been aided by all the industry, skill, and capital possessed by the Saxon ceorles or farmers of that period. And it has been shown in a preceding chapter that the ceorles were persons of considerable estimation in the political society of those times; and that

dence of the small quantity of specie, as a circulating medium, even at that distant and late period. When £800,000 was asked for carrying on the French war, Sir Thomas More, Speaker of the Commons, endeavoured to convince the House, that "it was not much on this occasion, to pay four "shillings in the pound." To which the Commons replied, that "though some persons were well monied, yet, in ge- "neral, the fifth part of men's goods was not in plate or "money, but in stock or cattle." Kennett's History of England, vol. ii, p. 55.

their occupation was so honorably regarded, that it opened one way, amongst others, to the attainment of the rank of nobility.

But, if any reliance may be placed on the researches of a modern writer into the history of the Anglo-Saxons, they "cultivated the art of husbandry with some attention." And England, at the date of Ethelwulph's grant of tithes to the Clergy, must have been a corn country: because "bread was the principal food of the lower classes "of the people, and of the Monks and boys in the "poorer monasteries;" and because "ale and "mead were their favorite drinks, and wine was "an occasional luxury. They had wheat and "barley in general use, but their prices were different; wheat, like meat, was a dearer article, "and therefore less universal. Their food was "that mixture of animal and vegetable diet, which "always attends the progress of civilization. They "reared various sorts of corn in enclosed and "cultivated lands, and they fed domesticated cattle for the uses of their table. But, though animal food was in much use among our ancestors, "it was as with us, and perhaps will be in every "country in which agriculture has become habitual, and population much increased, rather the "food of the wealthier part of the community "than of the lower orders. As it was a law "among them, that he who had twenty hides of "land should take care, that there should be twelve "hides of it corn sown, when he was to leave

it *," it appears that they were careful to insure a sufficient annual growth of grain for the food and drink of the great mass of their population. And from this law it may be not unreasonable to infer, that this specified quantity of twelve parts in twenty was the general proportion of arable land required to be annually under the growth of grain; a proportion nearly agreeing with the practice or custom of modern times: And, possibly it might have been under the usual average proportion, as an allowance in favor of an off-going occupant. It amounts, therefore, nearly to demonstration, that in the early period of the united Saxon Heptarchy, England was a great and flourishing corn country.

And admitting, that the before mentioned quantity of provisions was paid as a rent † for the occupation of 1,200 acres of land in the reign of Ina, it does not prove, that the progress of agriculture in England had been either slow or confined at that period, but rather the contrary. Because, of the several species and proportions of those provisions, if absolutely paid as a rent in kind, (all of which were drawn from the produce of arable land, pasture land, animals, and fisheries,) the pro-

* Turner's History of the Anglo-Saxons, vol. iv. pp. 58, 61, 62, 68, 195, 196.

† "The parish of Hawstead in Suffolk, was let in the time "of Edward the Confessor, at three half-pence per acre; "the rent was one shilling, in the time of Edward I.; it was "14s. 6d. in 1784; and in 1810, 25s. per acre." Annals of Agriculture, vol. xlvi. p. 100.

portion from the arable land is so very large and considerable, when compared with the proportion derived from pasture land, that a proportionable culture of those lands must have annually taken place. And as, according to the foregoing passage from Hume's History, the value of corn was greatly superior to that of cattle, it is reasonable to assert, that the most valuable species of those provisions, and the larger quantity of them, were therefore reserved by the proprietor of the land; and consequently, that the occupier of the land must have been careful to provide those quantities by a due attention to the cultivation of his arable land.

It has been likewise contended, in proof of the low state and produce of agriculture in former times, that in the fifteenth century, wheat was only allowed to be exported, when it was at the price of 6s. 8d. per quarter; and that the price of a fat ox was then about 13s. 4d.: which disproportion between the prices of corn and cattle shews, that the cultivation of land was not then in a flourishing state, and that corn was dear in consequence of the small growth of it. But, if we admit an argument to be founded on these premises, and reason upon it in reference to the present times, what will be the result? What proportionable price or value do corn and cattle now bear to each other? And how many times more than double, is the price or value of a fat ox to that of a quarter of wheat, even at the new first import price of 80s. per quarter? A fat ox, in proportion to his size and weight, will

at this time purchase five, six, seven or more quarters of wheat at 80s. per quarter, yet will any one rashly assert, or credulously believe, that the growth of corn has been diminished? Has it not, on the contrary, been greatly increased, in the quantity grown, in the quality of what is produced, and in the price at which it is valued?

However, it must be allowed, that, from towards the end of the Anglo-Saxon period to the commencement of the sovereignty of the House of Tudor, agriculture did not flourish as in antecedent times. The check which it received, was derived from several successive causes, namely, the the ravages of the Danes, the depopulating system of the Norman kings, the baronial wars and crusades, the bloody contests between the Houses of York and Lancaster *, and the general turn of the great landed proprietors to pasturage; which disposition, through the devastated state of the kingdom from the occurrence of one or other of the preceding causes, was perhaps the result more of necessity than of choice.

And it is to be recollected, that, through the almost stagnated state of the national population for

* "The war between the Houses of York and Lancaster "produced twelve pitched battles, in which eighty persons of "royal lineage, and ninety thousand men perished." Chandler's Life of Waynflete, 1791. p. 218. From the great consumption of human life by the sword, during the comparatively short period of this contest, some idea may be formed of the immense destruction of the national population during the long protracted baronial wars and religious crusades.

three hundred years next after the Norman conquest, and through the destructive effects and consequences of internal commotions, peculiarly injurious to the interests of the husbandman, there did not exist in the first period a necessity for increasing the products of the plough; and in the second period, every inducement to an extended cultivation was repressed, by the uncertainty of the cultivator's reaping the fruits of his labor. But, when more settled and peaceable times recurred, and a great increase in the population of the kingdom began to take place, then, as will be more fully enlarged on hereafter, the spirit of agriculture awoke from a lethargy of nearly five hundred years, and has since exerted itself, progressively, in a most wonderful increase of every agricultural produce.

That England was not only fertile in corn, but productive of it, particularly at the very period in which the civil right of tithes was first established, and consequently that the produce of tithes in this kingdom must have been originally very considerable, is most conclusively confirmed by the following extract from a work in the highest estimation: it affords such positive evidence of the fertility of Britain and its abundant produce in corn, as will apologize for the length of the quotation, and at the same time satisfactorily obviate the before stated objection.

"We may with probability admit, that Britain "was very early known to the Phenicians, since, "in the first accounts we have from the Greeks, "who derived their knowlege from them, it is

" celebrated for its fertility, a certain proof that
" it had been long inhabited. Julius Cæsar al-
" lows, that in the maritime provinces of this
" our isle, the people were well furnished with
" corn; but at the same time asserts, that, in
" the interior countries, they lived chiefly on
" flesh and milk. This first he might undoubtedly
" know with certainty; but the second he could
" only learn from report. Cornelius Tacitus, a
" cautious and correct author, from the information
" of his father-in-law, Julius Agricola, than whom
" no man of his time knew this country so well, or
" could describe it better, acknowleges the mild-
" ness of the climate, and the richness of the soil,
" which, except the olive, the vine and other
" plants which he judged to be peculiar to warmer
" countries, produced every thing else in the
" greatest plenty. He also observed, (and his
" whole relation shews him to have been diligent
" and exact in his inquiries, very sensible and im-
" partial in his reports,) that, though the springs
" were forward, yet the grain ripened slowly.
" This he attributed to the frequent rains, and the
" humidity of the air and soil. We see no reason
" to doubt, either of the truth of the representation,
" or of the justice of the remark. The Britons
" were but just beginning to learn the true prin-
" ciples of agriculture. Their own skill, such as
" it was, enabled them to provide sufficiently for
" their own subsistence, in the manner in which
" they lived, and hitherto they had looked no
" further. "

"By the Romans, who continued here the "greatest part of five centuries, the Britons were "well instructed in all the arts requisite to civil "life. They taught them to construct roads, to "open canals, to work mines, to improve their "ports, and, above all, to cultivate their country "in the very best manner, by which they rendered "it a region of exquisite beauty and flowing "abundance, while themselves were not only an "elegant and polite, but, at the same time, an "active, industrious and opulent people. Britain "was, in those days, another Sicily to the Roman "empire; and, as the latter supplied Italy, so the "former furnished the Roman armies in Germany "and Gaul, with corn and other provisions. It "was this rendered our island of so great conse-"quence to, and so much considered by, these "Sovereigns of the world. It was this put it in "the power of Carausius, himself a Briton, to con-"strain Maximinian and Dioclesian to allow his "assuming the Imperial title. It was this, that "induced the panegyrists to compliment Con-"stantius Chlorus, and his son Constantine the "Great, in such swelling and pompous terms, on "their recovering Britain, and thereby providing "for the subsistence and security of the frontier "provinces.

"On the coming of Julian, with the title of "Cæsar, into Gaul, when he found those provinces "in the utmost distress, as well as the greatest "danger, his first care was to settle the peace "and restore the commerce of Britain, from

" whence he drew more than once, eight hundred
" ship loads of corn, without which he could never
" have extricated himself from the difficulties he
" was in, or attained such a degree of power as
" lifted him to the empire. New troubles arising,
" and new Emperors being set up, some of them
" here, the whole strength of the island, after
" numerous armies raised in, and frequently, when
" transported abroad, recruited and reinforced
" from hence, was at length totally exhausted,
" and the country so depopulated, as instead of af-
" fording, as formerly, a continual support to, it
" became a burthen on, a declining empire. The
" continual irruptions of the barbarous nations
" into the Roman provinces, in Britain, quickly
" completed their ruin, so that it was not only
" spoiled and rendered desert, but the very people,
" and with them the arts they had acquired, were,
" in a great measure, exterminated and extin-
" guished.

" It was more than a century before these trou-
" bles totally subsided, and the Saxons, who were
" invited as auxiliaries, becoming more cruel ene-
" mies than the Picts and Scots, fixed themselves
" fully in their respective principalities, and, then,
" in the first intervals of peace, began to improve
" them. But, when they once set about this, and
" more especially after they had embraced the
" Christian religion, they made great progress, and
" soon revived the credit of this country, for plenty
" and hospitality. The excellency of their con-
" stitution, the justice of their laws, their regular

" plan of policy, but, above all, their equal distri-
" bution of land, not only produced, but secured
" a general, constant and thorough cultivation.
" We preserve more certain proofs of this, than
" even the most authentic histories could afford, in
" the number of cities and great towns, and the
" almost innumerable villages raised, and many
" of them named, by these intelligent and indus-
" trious people, in the Cathedrals, Colleges, and
" Monasteries, which they erected and endowed
" with lands, which their Ecclesiastics took care
" to improve to the utmost, in the system of their
" rural economy, which they established, and
" which still in a great measure subsists, and in
" the terms made use of in all things relative to
" husbandry, which most of them, at least, are re-
" tained among us to this day.

" We have also sufficient evidence to convince
" us, that though this country was then fully
" peopled, our harvests not only sufficed to feed
" them plentifully, but supplied also a very large
" exportation. Hence, it was, the Emperor
" Charles the Great called Britain, the granary
" of the Western world. This commerce enabled
" the renowned King Edgar, to form those nume-
" rous fleets, which were at once the guard and
" glory of his dominions. In succeeding and less
" happy times, the wealth accumulated by this
" lucrative trade, (for riches or rather signs of
" riches, gold and silver, could be brought hither
" no other way,) enabled his successors to procure
" some temporary reliefs to their subjects, by

" those subsidies which bore the title of Dane-
" geld: which tax was raised for different pur-
" poses, sometimes to engage the Danes to retire,
" sometimes to raise forces against them, and, at
" length, as an ordinary revenue. The rate,
" also, was different. Originally two, afterwards
" four, and even six shillings, on every hide
" or plough land in the kingdom; which shews,
" that the Saxons relied on their land and its pro-
" duce*."

Let not, then, the ideas and policy of our ancestors be considered as wholly inapplicable to the present times; nor let us distrust the propriety of ancient usages, nor cease to regard the wisdom of past ages. Our progenitors, in a remote period, laid the foundation of our envied constitution; and their children in succession, have gradually erected thereon, the goodly fabric of our establishment in church and state. And in whatever light Great Britain and her sons may in former days have been esteemed, (a speck, as it were, among the nations of Europe, or as an imbecile manufacturer of woollens,) she has raised herself to a pre-eminent state amongst the nations of the world. By her industry in accumulating resources, and by her firmness and integrity in the application of them, she is become opulent, great, and powerful: her prowess in war, by sea and land, has never been excelled, perhaps never equalled: and her voice, though at all times inclined to peace and under the

* Campbel's Political Survey of Great Britain, 1774, vol. ii. p. 60—63.

restraint of reason, yet, when uttered in the defence of herself, or in the protection of the oppressed, must be heard, and must be regarded.

It is also, contended, that so much skill, labor and expense are requisite to raise even a moderate crop, that to account for the tenth part of that which is acquired by such unremitted toil and attention, hath been found burthensome to the individual, and hath so far checked the exertions of the farmer, and prevented him from adding to that increase which he sends to market, that thereby the price of corn hath been enhanced, by a non-increase adequate to the regular demand for it, to the great injury of population *, &c. &c.

To attribute such an evil consequence to the payment of the tenth part of the landed produce in tithes, is a most direct contradiction to the present

* It should be recollected, that God's favored people was subjected by his Command, to the payment of Tithes to their Priesthood or Clergy: and though as already stated, the payments to them, and to the poor, in their several modes, amounted to nearly one third of the gross produce of their land, yet it does not appear, that their national agriculture, or population, were impeded by any evil effects arising from the payment of so large a proportion of their produce, in Tithes and Charity. On the contrary their agricultural produce was most abundant; and their population might be said to have overflowed. At the commencement of Solomon's reign, the population of Judæa was probably about 7,080,000 souls; which according to Templeman's estimate of the land contained in Judæa at 7,600 square English miles, would give above 930 persons to each square mile.

state of the population, agriculture, landed rental, manufactures, trade, commerce and navigation of the kingdom. We have seen in the foregoing extract, that the soil of Britain at the time of establishing the payment of tithes by the Saxons, was eminently productive of corn. However, it is granted that the state of Agriculture in England, in times immediately subsequent to the Saxon period, could not have been, either so very flourishing or productive. For, though "Under the Saxons "this country was fully peopled, and fully cultiva- "ted, and the nation in general rich, happy, and in "some degree luxurious, yet the Danes, who "were tempted thereby, to make descents upon "different parts of the sea-coasts in order to plun- "der, and, encouraged by success, at last to invade "and render themselves masters of the several "spots in the maritime countries, harassed, de- "populated, and, in a great measure, destroyed the "whole.

"These distractions, with little intermission, "continued for three centuries, and had such an "effect on the country as well as on the people, "that, together with the great changes in the "genius and spirit of the government, by the "coming in, first of the Danes, and then of the "Normans, as in the midst of an empoverished "and desolated nation, left a bitter remembrance "of past plenty, with scarce any prospect of future "recovery. We have a very singular and decisive "instance of the truth of this, in the satisfaction "and admiration expressed by a judicious author

"in those times, on the description of a Saxon "Monastery (Thorney Abbey, in Cambridgeshire, "situated in the midst of fens and marshes) and "of the country around it, which, from the pecu- "liarity of its situation, had escaped the almost "universal ruin.

"After the Norman government became some- "what more settled, agriculture was either so little "encouraged, or so indifferently understood, that, "what from the variation of seasons, from the "frequency of civil commotions, and repeated fo- "reign wars, there was a continual fluctuation "between great, but very transient periods of "plenty and extreme scarcity, nay, sometimes "downright famine; and, as an instance of this "in the short space of fourteen years, from 1244 "to 1258, wheat was once at 13s. 4d. twice at "16s. and once at 24s. per quarter, though once "within that space of time so low as 2s. Neither, "were those before mentioned the highest prices; "for, in twelve years after this period, in 1270, "wheat was £4. 16s. (of our money, nearly £13. "19s.) per quarter, and, at some times, and in some "places, it went even higher. In these circum- "stances, they had not only a notion of importing "to relieve their necessities, but of exporting also "to keep up the price of their own grain. But, "both being subject to licenses and other incum- "brances, they neither of them answered any ge- "neral or public purpose *.

* Campbel's Political Survey, vol. ii. p. 64, 65.

However, notwithstanding the depressed and precarious state of agriculture, during the strictest ages of the feudal system, it seems, that, as the spirit of the villenage tenure gradually softened and evaporated, which was effected by the exhortations and examples of the Clergy, the dormant spirit of agriculture began to raise its head, and to revive accordingly. This may be inferred, from the progressive decrease in the prices of wheat, from the beginning of the thirteenth, to the middle of the sixteenth century. These have been collected, as often as they could be ascertained, whether high or low, and an average taken from the twelve prices immediately following each other. Thus, the average price of a quarter of wheat, for twelve years, between 1202 and 1286, was £2. 19s. 1d.; between 1287 and 1338, £1. 18s. 8d.; between 1339 and 1416, £1. 5s. 9d.; between 1423 and 1451, £1. 1s. 3d.; between 1453 and 1497, 14s. 1d.; and, between 1499 and 1560, 10s*.

It cannot be said, that the very considerable reduction, from £1. 1s. 3d. to 10s. per quarter, in little more than a century, was solely or principally caused by the influx of American wealth, because the greatest proportion of the decrease appears to have taken place, before any effect could possibly have been experienced, politically or nationally, from the discovery of the western continent. A more active, immediate, adequate and deeply-rooted cause may be traced out, in that prodigious increase of the population of England, (and in the conse-

* Wealth of Nations, vol. i. p. 353—6.

quent improvement of her soil,) which had come to pass in the course of the two preceding centuries.

If it be allowed, that an increase of population is a strong and rational testimony, in favor of the flourishing state and internal improvement of a country, England, at the very time of which we are speaking, possessed, in this respect, the most irrefragable marks. Notwithstanding the numerous foreign wars and crusades, in which she had been engaged, and the internal dissentions, revolutions, insurrections, famines and pestilences, with which she had been so fatally and repeatedly harassed from the era of the Norman invasion, she had most astonishingly increased her inhabitants. At the Conquest, her population is stated to have been about 2,000,000 of souls; which in the course of the three following centuries increased so slowly, that in 1377 it amounted to only 2,353,000, according to a calculation founded on a Subsidy Roll of that year still extant. Its increase, however, during the two succeeding ages, was so great and rapid, that in 1575 it was more than doubled, reaching to 5,274,000 souls; of which 1,172,000 were men capable of bearing arms *.

Now this rapid increase in population could not have taken place, without a proportionate increase in the means of subsistence: a number of people infer abundance of food; the former is so dependent on and connected with the latter, being as it were

* Chalmers's Domestic Economy of Great Britain and Ireland, 1812, p. 4, 14, 38.

an immediate consequence, that a flourishing population is usually undeniable evidence of an abundant plenty of the necessaries of life. But this abundant plenty could not have been procured by importation, since the few attempts made towards it, according to Campbel, either wholly failed or proved ineffectual. Must it not, therefore, be more justly and truly ascribed to internal resources; to the progress of cultivation and agricultural improvement, encouraged and assisted by trade and commerce?

The spirit of licentiousness, incident to all weak governments, like those founded on the feudal system, hath at all times depressed and discouraged agriculture. Nor ought we to wonder, that in England agriculture should have been so little regarded in a political view, or so badly managed by the individuals employed in it, at those periods, when there was no security to the person and property, and consequently no inducement to the occupation, of a farmer. The subsistence of themselves and families, must have been the principal motive of those, who followed the employment. It is irrational to imagine, that men would, unconstrained, seriously and deeply engage in a business, whose returns were precarious, from the fluctuation of the prices of the articles of their produce, and from the unsettled and ferocious state of society. Length of time, more civilized manners, more frequent intercourse with other nations, greater personal freedom, more defined stability of landed property, and the possibility of acquiring

it, were requisite to give a progressive and due spring to the efforts of human industry. And accordingly we find, that national civilization, commerce and cultivation, have kept mutual and gradual pace with each other.

From the time of Henry VII. may be dated, our first attempts towards a refinement of manners, and the extension of commerce, and our earliest material steps towards the improvement of agriculture. By permitting the Nobility to alienate their ancient estates, Henry VII. not only effectually broke their power, and clipped the wings of their hereditary splendor, but he put the acquisition of landed property, within the reach of every thriving and industrious individual, and thereby gave an additional energy to agricultural exertions. In this reign, it is true, the nobility and gentry began to favor the notion of grazing being more profitable than tillage, and, in consequence thereof, enclosures were multiplied: but, as the progress of them was attended by complaints and commotions, various acts were made by Henry VII., Henry VIII., and Edward VI., to prevent the conversion of arable land into pasture; and, on the gift or sale of the possessions of the Religious Houses, suppressed in the time of Henry VIII., it was particularly enjoined, that all such land, as had been kept in a state of tillage, for the last twenty years by the late proprietors, should be continued therein, under the penalty of £6. 13s. 4d. a month.

In Elizabeth's reign, several acts were passed for the encouragement and improvement of agri-

culture, on apparent principles of true and sound policy; and, if we may judge from the price of corn in her reign, were attended with good consequences *. Under James I., and Charles I., proclamations were issued, and acts still passed, in favor of the national agriculture, though not productive of that attention and spirit of industry, which arose under the Commonwealth, and was so highly-beneficial in succeeding times, notwithstanding it could not counteract the scarcities, too frequently prevalent at that period. On the Restoration of the regal form of Government, this spirit of agricultural improvement was not lost, but exerted itself in fuller vigor. Our domestic interests, and the benefit of an increased commercial intercourse with foreign states, were ably investigated, and necessarily more clearly understood; and the possibility of rendering corn an important native export, being sufficiently ascertained, a multiplicity of acts were passed, in the reigns of Charles II., James II., and of William and Mary, to promote this great and extensive concern.

Nor hath this object been since neglected by the subsequent Legislature, having been constantly and warmly supported, according to the exigency of the times, by different arrangements and occasional modifications in the import and export laws, tending to equally guard against the empoverishment of the agricultural interest by too great a re-

* However there are political writers, who think Queen Elizabeth's Legislation, with regard to political economy, not calculated to merit much praise.

duction, and against the injury of the community by too great a rise, in the price of corn; and to contribute, as far as human policy can, to the increase of the chief necessary of life without destroying the reasonable profits to be derived from the cultivation of it.

"When we compare the state of a nation at two "different periods, and find, that the annual produce of its land and labor, is evidently greater "at the latter than the former, that its lands are "better cultivated, its manufactures more numerous and flourishing, and its trade more extensive, we may be assured, that its capital must "have increased during the interval between the "two periods. To form a right judgment, indeed, "we must compare the state of the country, at "periods somewhat distant from one another: "the progress is frequently so gradual, that at "near periods, the improvement is not sensible.

"The annual produce of the land and labor of "England, is certainly much greater than it "was at the Restoration of Charles II. Though "at present, few people, I believe, doubt of this, "yet during this period, five years have seldom "passed away, in which some book or pamphlet "has not been published, written too with such "abilities as to gain some authority with the "public, and pretending to demonstrate that the "wealth of the nation was fast declining, that the "country was depopulated, agriculture neglected, "manufactures decaying, and trade undone. "Nor have the publications been all party

" pamphlets, the wretched offspring of falsehood " and venality. Many of them have been written " by very candid and very intelligent people; who " wrote nothing but what they believed, and for " no other reason but because they believed it.

Again, " The annual produce of the land and " labor of England, was certainly much greater " at the Restoration, than we can suppose it to " have been about an hundred years before, at " the Accession of Elizabeth. At this period too, " we have all reason to believe, the country was " much more advanced in improvement, than it " had been about a century before, towards the " close of the dissensions between the Houses of " York and Lancaster. And even then it was " probably, in a better condition than it had been " at the Norman Conquest *."

* Wealth of Nations, vol. ii. p. 103, 104. The last part of Dr. Smith's comparative state of the kingdom at different periods, namely, that in the feudal ages it excelled the times of the Saxon Heptarchy, and that at that early period it was certainly a more improved country than at the invasion of Julius Cæsar, is omitted: because the preceding quotations from Turner's History of the Anglo-Saxons, and from Campbel's Political Survey, prove, that it must have been inferior.

The authority of Dr. Adam Smith, though frequently quoted, must not always be implicitly relied on: it is possible, that as he was not infallible, every position advanced by him may not be correct, and that at times he may be found not quite consistent with himself. Thus he says, vol. iii. p. 277, " Taxes upon the produce of land are, in " reality, taxes upon the rent; and though they may be

Accordingly, the preceding review of our national agriculture, during the prevalence of the feudal system, and under the auspices of the Legislature for the last three hundred years, shews, that, notwithstanding it greatly suffered, and at times might have been materially diminished, during the rigor of the feudal tenure, it improved on the whole; that, in proportion as that severe system relaxed, agriculture made quicker advances; and, as soon as the effects of our national commerce began to be felt, improved so rapidly and to such an extent, as to supply above 5,000,000 of population, where it had formerly supported only 2,000,000; and that since, under the fostering hand of a free constitution, it hath arisen to such a flourishing state, in consequence of its own improvement, and as connected with the increase of our population, manufactures, trade and commerce, as to supply food to above 10,000,000 of inhabitants *; that is, to nearly double the number it supplied two hundred and fifty years ago,

" originally advanced by the farmer, are finally paid by the " landlord. When a certain portion of the produce is to be " paid away for a tax, the farmer computes, as well as he " can, what the value of this portion is, one year with " another, likely to amount to, and he makes a proportion- " able abatement in the rent he agrees to pay the head-land- " lord." And after this statement, he immediately proceeds to descant at large upon the evil effects, which this portion of the produce, or tax, as he stiles it, has upon the occupation of the tenant or farmer: an inconsistency too apparent for further elucidation.

* Population Enumeration, 1811.

to above treble the number it supported about four hundred years ago, and to five times as many as it nourished seven hundred years ago, at the Norman conquest.

In thus slightly tracing the progress of the agriculture of this kingdom, through its different stages, from the introduction of the feudal system to the close of the eighteenth century, though no notice has been taken of tithes, the subject hath not been forgotten.

And from what hath been advanced, it appears, that, notwithstanding the practice of paying tithes, in kind or by composition, existed throughout the whole period before mentioned, the progressive improvement of the national agriculture hath not been prevented. Its progress hath been gradual, though it is granted, that until about the era of the Reformation, it was slow and uncertain. Till that time, the Clergy were the chief, if not the sole friends and supporters of agriculture; and to whom, indeed, the restoration of agriculture, and the re-cultivation of the lands, which had fallen into almost a state of nature, under the violence and ferocity of the earlier feudal ages, is principally to be ascribed: the Monks and Clergy having been, not only the Ministers of Religion, the Founders and Patrons of Schools, and the Promoters of Literature, but also the best Farmers in the kingdom.

During the two last centuries, and more especially, since it became a peculiar national concern,

our agriculture, in its produce and the superior ease with which it is carried on, hath been most astonishingly and rapidly improved; so that, England, at this very time, is not only the first in all other arts and sciences, but eminently conspicuous, for the knowlege, progress and encouragement of agriculture *. The produce of her lands hath been most wonderfully multiplied, by changes and improvements in the modes and implements of husbandry, and by the enclosure and cultivation of a large portion of her wastes and commons. And her yeomanry and farmers enjoy a degree of security, independence and respectability, unknown to those of similar occupations, in other European countries.

"Great as have been the progress and improve-
" ment of agriculture in this county, (Essex,) they
" have in others been greater still. Witness,
" Norfolk, Suffolk, Yorkshire, Shropshire, &c.
" Nay, cast a glance over the kingdom at large,
" and do we not see its cultivation growing and
" flourishing in every part? Is there a nation in
" Europe, where its advancement has been more
" rapid, or in which it presents a more enchanting

* "Agriculture must be practised as a trade, before it
" can supply superabundance. Certain it is, that 'till the
" reign of Henry VIII., we had in England no carrots, turnips,
" cabbages, nor sallads; and few of the fruits, which, at
" at present, ornament our gardens, and exhilarate our
" tables." Chalmers, from Anderson's Chronological Account of Commerce, vol. i. p. 338.

"spectacle, even those countries not excepted, "where tithes are unknown *?"

In proof of the great increase of the products of our agriculture, notwithstanding the oppressive, impolitic and ruinous burthen of tithes, as it is called, may be mentioned, that, since the establishment of the bounty on the exportation of corn, a single instance of great dearth of corn, though some years of great scarcity have been unhappily experienced, hath not been noticed in England †. And, how much this bounty hath contributed to the encouragement and improvement of agriculture, is obvious from the immense and comparatively new branch of trade which immediately arose in consequence of it, and from the few suspensions of the Act, which, until of late years, have taken place.

Fifty years ago, the growth or produce of England, in wheat, rye, barley and oats, was estimated at 15,349,921 quarters; of which 13,555,850 quarters were consumed at home; 1,395,447 quarters were expended in seed; and the remaining 398,624 quarters (not including the wheat imported) was for exportation ‡.

* Howlett's Influence of Tithes upon Agriculture, 1801, p. 29.

† Chalmers's Domestic Economy of Great Britain, 1812, p. 77.

‡ Smith's Corn Tracts, 1766, p. 144. It is to be remarked, that this export of our native corn was equal to above five-sevenths of the total exports of the kingdom, in 1354, the 28th of Edward III.

The bounty on the exportation was first fixed by the Legislature in 1688, when the price of wheat, on the average of the twenty preceding years, was about £1. 18s. 10d. qer quarter. No account of the quantity of any species of corn, which was subsequently exported, was made up before 1697. But from that date to 1765 inclusive, that is, in a period of sixty-eight years, 14,332,435 quarters of wheat (or on an annual average, 210,771 quarters) were exported, and the bounty paid on that exportation, amounted to £3,583,000; and, deducting the imported wheat, the nett export of our native wheat, was 206,602 quarters per annum *. And during the whole sixty-eight years, the total quantity of all sorts of grain exported, wheat, rye, barley, malts, oats and oatmeal †, was 33,143,980 quarters, or 487,411 quarters per annum: and the annual average of thirty-nine years, ending 1765, was 598,484 quarters ‡.

In five years ending 1748, the value of the exported corn amounted to above £8,000,000; and between 1741 and 1750, the quantity exported was 8,000,000 quarters, and the bounty on that exportation, was £1,500,000. In the year 1750, it was calculated, that above one-fifth part of the whole growth of wheat was exported; and the

* Smith's Corn Tracts, p. 118 and 130.

† Three quarters of malt are allowed for every two quarters of barley, malted for exportation; and two quarters of oats will produce only one quarter of oatmeal, making the latter double in price to oats.

‡ Smith's Corn Tracts, p. 113.

bounty on all exported grain, in that year, was £325,405. And in nineteen years ending 1764, the average value of the exported corn, amounted to £545,000 per annum.

The greatest annual export of wheat, during the sixty-eight years, was from 1749 to 1754, and amounted to 553,871 quarters: and, though wheat was occasionally imported throughout the whole period of sixty-eight years, yet the total quantity of it could have no effect on the exportation, as it did not amount to quite 19,000 quarters *. And about 1760, it was estimated, that the average proportion of corn annually exported, was one-thirty-sixth part of the growth; and the average quantity annually imported was 1-571 part of the consumption †.

It has been observed, that, as "The bounty on "exportation was first given in 1688, and wheat "on the average has been so much cheaper ever "since, it shews, that the law then made was a "good law; for if only two-thirds of the corn "consumed in bread hath been wheat, and the "above register (Eton College Register of the "prices of wheat) be true, the money, which "hath been saved annually in that article alone, "amounts to above £1,500,000: an almost in-"credible sum, and more than four times the "sum paid for bounty on the exportation of all "sorts of corn in the year of the greatest export

* Smith's Corn Tracts, p. 126.

† Ibid. p. 144, 145.

"ever known; besides the ready money which "hath been brought into the nation for the corn "exported *."

During the first sixty-four years of the late century, the average price of wheat was £1. 14s. 3d. per quarter; which was about one-fifth part under the average price of the last sixty-four years of the preceding century. From 1701 to 1730, that is, soon after the enactment of the bounty upon exportation, and its operation began to take an extended effect, the average price of wheat was £1. 16s. 9d. per quarter. From 1731 to 1740, it was £1. 11s. 4d. per quarter; and from 1741 to 1750, it was still lower, being only £1. 8s. 4d. per quarter. And it is worthy of being particularly noted, that in 1750, which was the greatest year of our exportation of all sorts of grain, (the wheat alone being 947,602 quarters,) the price of wheat was only £1. 7s. 1d. per quarter †.

The period of the largest export of wheat was, as before mentioned, from 1749 to 1754; in which six years the export was 3,323,226 quarters. But, through the short crops for three or four years in several parts of the kingdom, and the general shortness of the crop of the year 1756, and the lightness in weight of the crop of the year 1757, added

* Smith's Corn Tracts, p. 43.

† Ibid. p. 43, and 98—102. From which most elaborate work, the above mentioned prices are calculated according to the prices of Eton College Register, deducting 2s. for the fineness of the wheat, and one-ninth for the excess of the Windsor measure.

to the small stock remaining on hand *, the export of corn began to decline. From 1755 to 1762, it had fallen, in respect to wheat, from the before stated annual six years average of 553,871 quarters, to 194,681 quarters; and in the interval from 1763 to 1774, it was necessary to have recourse to a small importation, which, after deducting the exported wheat, amounted to 358 quarters per annum. From 1775 to 1782, the export in a small degree revived, and deducting the imported wheat, was 6,519 quarters per annum. But, from 1783 to 1792, the export of wheat, in favor of the nation, finally ceased; and after deducting the wheat exported, the nett balance of the wheat imported, amounted to 77,349 quarters per annum. And, during the period from 1793 to 1812, the importation of wheat, deducting the quantity exported, has been 10,506,688 quarters, or 525,334 quarters per annum †; making an average difference, between the former largest exportation and the late great importation of wheat, of nearly 1,100,000 quarters per annum.

It is a circumstance deserving peculiar attention, that from 1686, (that is, ten years only prior to the time when the first account of corn, exported under the bounty act, was made up,) to 1792, being a period of 106 years, the average price of wheat should have increased not above 12s. 5½d. per quarter. The average price for twenty years pre-

* Smith's Corn Tracts, p. 5, 6.

† House of Commons Corn Report, 1814; Appendix, p. 38.

ceding 1686 was £1. 16s. 7d. per quarter: in twenty years ending 1706, it fell to £1. 16s. 3d. per quarter: in twenty years ending 1726, it fell again to £1. 15s. 4d. per quarter: and, in twenty years, ending 1746, it sunk to £1. 9s. 10d. per quarter. But, in nineteen years, ending 1765, it rose to £1. 11s. 8d. per quarter*; and, in thirteen years, ending 1778, to £2. 9s. 11d. per quarter; though in fourteen years, ending 1792, it fell back to £2. 9s. 0½d. per quarter*.

However, from 1793, the price of wheat has been much advanced. On the average of twelve years, ending 1804, it rose to £3. 15s. 10d. per quarter; and on an average of the succeeding eleven years, ending 1815, it rose again to £4. 17s. 4d. per quarter: and on the average of the two last periods, its price has been £4. 6s. per quarter*.

This increase in the price of wheat has been positively asserted to have proceeded from a decrease in the growth of it; and that this decrease has principally originated from the operation of tithes (in kind or by composition) upon its cultivation.

But the increase in the price of wheat is not to be ascribed to any decrease of the lands heretofore

* Eton College Prices, in Smith's Corn Tracts (p. 105) to 1762; and afterwards, in the Lords' Corn Committee Reports, (p. 322) deducting one-ninth for the excess of measure, until 1794: the prices in the Lords' Reports are continued to 1815 inclusive, through the polite attention of the Provost of Eton to the Author's inquiry.

employed in its culture, but chiefly to the unproductiveness of the crops for several years through unfavorable seasons, possibly aided in a certain degree by the check which the importation of foreign wheat experienced through the state of war, in which the kingdom was so long engaged. And, if the existence and continuance of the late war directly or indirectly operated to enhance the price of wheat, yet the opposite consequences have taken place in all former wars, from the Revolution to 1792: the price of wheat in time of war, having been always under the price of it in the succeeding peace periods, one instance alone excepted.

In the war from 1688 to 1697, the average price of wheat was £2. 10s. 8d.; and in the peace to 1701, £2. 12s. 6d. per quarter. In the war from 1702 to 1712, £2. 4s. 11d.; and in the peace to 1739, £2. 0s. 4d. per quarter. In the war from 1740 to 1748, £1. 15s. 5d.; and in the peace to 1754, £1. 18s. 2d. per quarter. In the war from 1755 to 1762, £2. 1s. 10d.; and in the peace to 1774, £2. 9s. 5d. per quarter. In the war from 1775 to 1782, £2. 1s. 11d.; and in the peace to 1792, £2. 6s. 2d. per quarter *.

The extraordinary average high price of wheat, during our late long warfare of twenty-three years, prevents even the possibility of speculating on any average rise in the price of it, for the period which the present peace may continue. The mode in

* Brand on the Price of Wheat in War and Peace, 1800, p. 9—12.

which the late war was carried on, with its attending consequences, precludes any comparison with former wars, or the forming of any other probable result from it in regard to the price of wheat, than that the price of it, during the continuance of peace, ought and necessarily will sink below its lately-passed average price, as was formerly instanced in the peace period between 1713 and 1739.

In the years 1795, 1800 and 1801, the price of wheat rose beyond all human expectation, through the severe pressure of repeated scarcities, amounting almost to dearth: yet, on the short peace of Amiens in 1802, (though from the state of Europe it could scarcely be distinguished from a feverish suspension of arms,) the price fell fifty per cent. and made little advance for about two years. And therefore, though the price afterwards rose far beyond its former magnitude, yet, as on the short restoration of peace in 1814, it fell in that and the following year so low as to require the interference of the Legislature, in order to protect the grower without injuring the consumer, it may be reasonably expected on the continuance of peace for any length of time, that the price of wheat will again revert to that adequate standard, which shall ensure a due compensation to the grower, and plenty to the consumer at a moderate price.

But whatever may eventually be the price of wheat on a continuance of the present peace, the statement of a decrease in the growth of it, from any cause, is not correct, if any reliance may be

placed on the communications of the Board of Agriculture, who has lately and officially stated, that the growth of wheat has been very largely increased *. And the House of Commons Corn Committee has likewise stated, that "within the "last twenty years a very rapid and extensive pro-"gress has been made in our agriculture; that "great additional capitals have been skilfully and "successfully applied not only to the improved "management of lands already in tillage, but also "to the converting of large tracts of inferior pas-"ture into productive arable; and that of late the "export of corn from Great Britain and Ireland "has nearly, if not fully, balanced the importa-"tion †."

What becomes, then, of the assertion, that the late increased price of wheat is to be attributed to a decrease in the growth of it from any cause whatever, and more especially from the operation of tithes? The progress which the national agriculture has made, and the flourishing state at which it has arrived, under the asserted pressure and impolicy of tithes during nine hundred years, through all the varying vicissitudes of our government, and the low condition of our population at particular periods, together with the confined circumstances of our internal and external resources,

* "The increased culture of wheat has been considerable, "and that of oats still greater." Answer of the Board of Agriculture, in the House of Commons Corn-Trade Committee Report of May 11, 1813, App. No. ii. p. 30.

† House of Commons Corn Report, 1814, p. 2 and 14.

is not to be denied: Why, then, should the payment of tithes be now productive of more fatal consequences, and in more settled and better times impede the progressive improvement of our agriculture, when there is every inducement to more active and industrious exertions in the occupation, from the extension of our population, manufactures, trade, and commerce, and when the returns from agriculture are so largely increased beyond those received by our ancestors, and may be depended on from the certainty of a market?

The increased price of wheat should be attributed to other causes than the operation of tithes. Possibly no one, amongst many more to be mentioned hereafter, is more likely to be true, or more capable of producing such an effect, than the too general destruction of farms upon a moderately small scale*. By the consolidation of such farms as these, and forming them anew into others of greater and more considerable extent, the body of farmers is lessened in number; competition is taken away; and combinations are more easily

* "When the advocates for large farms argue upon the "greater quantity of provision, they are enabled to send to "market with a diminution of the labor both of men and "horses to feed an increased population elsewhere, and by "their having a larger capital employed than the petty far- "mer, which supports them from being obliged to sell their "commodities in a sinking market, they forgot that the effect "of these arguments is nothing short of monopoly; and "thus the population in large towns is like a besieged "garrison, under the necessity of resigning themselves to "the grasp of extortion, because there is no competition in "the market." Capper's Statistical Account, 1801, p. 43.

made, as often as avarice shall think it necessary, either to keep up the price, or to enhance the value, of the products of the soil.' "The practice "of engrossing small farms has doubtless been "rapidly advancing of late years; and the effects "have been disadvantageous, from the increasing "opulence of the occupiers; ready-made fortunes "being frequently carried into large farming: "and general opulence savours a disposition to "keep up high prices for corn *." And that the price of wheat, and of other agricultural produce, hath most undoubtedly been much raised by various practices and artifices, and hath not proceeded from a deficiency in the quantity of wheat grown, is well known to those who reside in the counties where large farms are too much encouraged †.

* Bath Papers on Agriculture, vol. viii. p. 351.

† "Buyers rarely combine against sellers; while sellers "individually can inflict the greatest hardship on the buyers. "It has been said, that Government cannot set a price on "a man's property, or compel him to deal out a supply, "when he himself feels no want of the money that supply is "to produce. It has been said also, that farmers who have "stocks of corn, are in the place of public granaries. This, "however, may admit of a doubt, unless such stocks are "under the same control and appropriation as public grana-"ries. A warm farmer, who holds a large farm, and has "money in a country banker's hands, in whom he frequently "places more confidence than in the public funds, will be "indifferent what becomes of his abundant crop: He will "thrash only for seed, not for ready money; and as he has "all his resources within himself, he looks no further. For "who is more purse-proud than a substantial English farmer?

An author of some fame on the subject of Landed Property, is most decidedly of the opinion, that large and overgrown farms are public evils, and are productive of artificial scarcity; he is, therefore, as decidedly an opponent of them. It would be doing him injustice, to abridge what he hath said on the subject; and more especially, since at the same time he also evinces in the clearest light, the benefits resulting from the landed property in the possession of ecclesiastical and other corporate bodies, (which hath been frequently suggested to be injurious to the community,) from the moderate and sizeable farms into which it is divided, and from the peculiar tenures by which it is holden.

"Estates," says he, "held under Ecclesiastical "Lords, Collegiate, or Corporate Bodies, are "at this time one of the greatest supports this "country hath for its population. Notwithstanding little farms are engrossed, and cottages demolished on other estates, their's, from the nature "of the tenure, still remain nearly the same, and "continue to yield their proportion of that advantage, which this country formerly derived from "smaller farms than now subsist.

"Upon manors where any of the before mentioned bodies preside, a life no sooner drops, in "an estate held under them, than they are ready

"He folds his arms across, and laughs at the experimentalists, whose gradual ruin he foresees; and if the Agents of the Board of Agriculture catechise him, he returns them just what answer he thinks fit." The late Richard Gough, Esq. in the Gentleman's Magazine, vol. lxx. p. 940.

"to fill up the vacancy, in favor of the heirs of its "former possessor; for, having only a life-interest "in it, or perhaps not so much, as preferment "often removes them, they are glad to seize all "immediate benefits which accrue, and never "look forward, like a lay-lord, to the future ad-"vantages his family may acquire, by waiting for "the reversion after the existing lives. For these "reasons, upon manors of this sort, population "must, and does wear a better face than in other "districts.

"When a man is a copyhold or life-leasehold "tenant, it gives a stronger spur to his industry, "than when he is tenant at will, or on a short "term of years, to the same quantity of land. "He will be encouraged to undertake improve-"ments, and will obtain a much greater produce. "He will also be better enabled to marry, and "much encouraged to do it; because he hath "the means to support a family, and to make "some provision for them, in case any accident "should happen to himself.

"And, when young women are left with little "estates of this sort, they are better enabled to "provide for themselves suitable husbands.

"These estates, preserving their original form "more than any other, and being in general of a "small size, produce more poultry, pigs, and "dairy articles, than larger estates, and are much "more beneficial to the community. Many gen-"tlemen of landed property are so fond of free-"hold, that they affect to despise every other

" tenure; and I have heard some lament, that
" there was such a thing existing as copyhold or
" leasehold. Such persons are, generally, the
" greatest advocates for large farms: but, if these
" were to prevail universally, we should soon feel
" the dreadful consequence; for, then, every
" source of plenty would be checked, and popu-
" lation receive an irrecoverable blow.

" Since little farms have been swallowed up in
" greater, there are thousands of parishes which
" do not support so many cows as they did, by
" fifty or sixty in a parish; and the inhabitants
" have decreased in proportion. If Church and
" College tenures were set aside, this devastation
" would spread wider.

" These tenures, and all copyholds under lay-
" lords, which are not liable to revert, have ano-
" ther advantage. They are purchased at a
" smaller price, compared with freehold, which
" makes it easier for a man of a small capital, to
" procure an inheritance; and, as the title is al-
" ways clear, this is another great recommendation
" of them.

" The good effects I have enumerated, which
" flow from copyhold and leasehold tenures, shew
" the benefits resulting from small farms, in a very
" strong light; and those, who persist in the
" ruinous practice of throwing too much land into
" one man's hands, are blind to their own interest,
" and deaf to the cries of humanity *."

* Kent's Hints to Gentlemen of Landed Property, 1793, p. 202.

There are many other causes, to which the increased price of wheat may be attributed, without injuriously and falsely ascribing it to the operation of tithes. These are, the rise of rents; the large tracts of arable land, which of late years have been converted into pasture *, on account of the superior profits derived from grazing, and of the constant demand for milk and butter; the enlarged cultivation of vegetables for the consumption of man, and of natural and artificial grasses for the consumption of animals, in order to create a greater quantity of manure for the increase of the products from grain; the demand for sheep, oxen and hogs, and the practice of fattening them with corn, to hasten the supply for the market, which requires a greater quantity from the change in our mode of living; the prevailing and daily increasing, though impolitic, use of an enormous multitude of horses †,

* "If there is more profit, on the average of ten years, "from grass than from arable land, arising from the vast de- "mand for the products of pasturage by the higher classes, "the wastes may be cultivated without corn sufficiently in- "creasing." A. Young, in the Annals of Agriculture, vol. xxxvi. p. 155.

† On the average of nineteen years ending 1765, on the nett balance of oats exported and imported, about 22,560 quarters of oats had been annually imported: on the average of twenty years ending 1797, this importation had increased to 432,750 quarters per annum; and on the average of fifteen years ending 1812, this importation had further increased to 564,788 quarters per annum. (Smith's Corn Tracts, p. 128. The Report of the Committee on waste lands in 1797, p. 30. And the Lords' Corn Committee Reports in 1813—14, p. 281.) This progressive increase in the impor-

occasioning an immense demand for other grain instead of wheat; the custom adopted of late years by the lower class of people, of eating wheaten bread only, instead of the former bread of mixed corn; the waste of bread-corn, by the undue division of the flour; the increased luxury of the times, amongst all ranks of the community; the consumption of wheat and other grain, in our breweries, distilleries, and manufactories of starch and hair-powder; the practice, as far as it can be carried, of speculation, forestalling and monopoly; and above all, as the first and great cause, the increased demand for wheat, in consequence of our flourishing population, manufactures, trade, and commerce. All these together, with the too extensive annihilation of the smaller farms, are adequate to the effect produced; and have been, most undoubtedly, the true causes of raising the price of wheat in late years, independent of all other temporary circumstances *.

tation of oats, from 22,560, to 564,738 quarters per annum, shews not only the increased number of horses, but substantially proves, that, notwithstanding the payment of tithes, a large portion of the lands formerly appropriated to the culture of oats, has been so greatly improved, as to have gradually become capable of being converted to the production of more valuable grain; or otherwise, our importation of bread-corn must have been still more largely increased within the last fifty years.

* However common-placed and vulgar may be esteemed, all ideas and prejudices against the monopoly and consolidation of farms, the conversion of arable land to pasture, the too extensive sale of corn at home, or by sample at market,

It is true, that wheat is a commodity too bulky and too expensive, for a monopoly in very large quantities; and that it is of a nature too perishable to be long preserved in a perfect state, when it has been thrashed out of the straw. But it is not to be denied, but that, as far as the pecuniary ability and dishonest contrivance of interested individuals or combinations can effect such a purpose, it is occasionally kept back from the market, either in larger or smaller quantities; that the price of the article is not freely permitted to find its own level, and rise or fall according to its produce and consumption; and that large quantities also, injured by having been too long warehoused, are sold at reduced prices, either for the manufacture of a deteriorated and unwholesome flour, or for various other inferior uses.

It is likewise to be recollected, that during the last forty or fifty years, the nation has experienced many unfavorable seasons, and been engaged in war above the larger portion of it; and consequently that the national taxes have been increased, and more than doubled within the last twenty years, and which have greatly contributed

the practice of forestalling and speculation,' &c. &c., yet there is too solid foundation for believing their existence, and that they are carried, as far as worldly wisdom and monied capital will permit. And admitting, that, at certain times and in certain cases, substantial advantage may be derived from some of them, it does not counterbalance the disadvantage resulting from the combined effects of them, at all times, and in all situations.

to the increased price of all the necessaries of life, and of those in particular arising from agriculture. And though, whilst "by ascribing too much to "human contrivance, and too little to providential "superintendence," it has been found impossible by parliamentary inteference to ensure in all years abundant returns from agriculture, yet the improved state of our agriculture, and its increased products, have tended to mitigate the effects of bad seasons, as well as of war. But, indeed, the bare actual state of war cannot permanently affect the prices of our national domestic produce. The demand, the supply, and the price will always bear a relative proportion to each other; and as numerous fleets and armies must be fed and clothed, and possibly in not the most economic manner in order to secure to them an abundant plenty, therefore the prices of all articles necessary for their support must be expected to increase, for a time, and to a certain extent; and more especially, if the demand shall be urgent, when the supply shall perhaps be inefficient.

It has been shrewdly remarked, that "we have not "only had a greater number of people to feed, but "a great number of opulent and wasteful people to "feed; owing to the favorable change in the circum-"stances of a great many of the lower orders: and "that the whole necessaries of life are sold upon "the principles of concert. From Cornwall to "Caithness, there is perhaps an understanding "among the sellers, who never forget, that the "consumers are wholly in their power. And by

"means of this understanding, and of that concert, "there is not a free market in Britain, where the "balance of supply and demand, can vibrate with-"out the interruptions of avarice *."

The, already mentioned, increase of our population, and the growing opulence of the kingdom, during the last twenty years, must likewise have greatly contributed to advance the price of wheat. In 1700, our population was 5,475,000; in 1710, 5,240,000; in 1720, 5,565,000; in 1730, 5,796,000; in 1740, 6,064,000; in 1750, 6,467,000; in 1760, 6,736,000; in 1770, 7,428,000; in 1780, 7,953,000; in 1790, 8,675,000; in 1801, by actual enumeration, 9,168,000; and in 1811, by actual enumeration also, 10,150,615 souls †. If then, between 1750 and 1760, which was nearly the period of our greatest exportation of wheat at about the average price of 35s. per quarter, our population amounted to only 6,500,000, ought we to be surprized, that an importation, comparatively small in proportion to our enlarged consumption, should have taken place, when our population has been increased almost 50 per cent, and the price of wheat, both native and imported, consequently enhanced?

* Chalmers's Domestic Economy of Great Britain, &c. 1812, p. 265.

† Population Returns of 1801 and 1811; and Observations on the Register Abstracts, 1801, p. 9. This rapid increase of our population may be partly ascribed to the great diminution in the mortality of England, which has decreased from one in forty, to one in fifty, since 1780.

An increase of 3,500,000 persons, supposing the whole number to eat bread made of wheat only, (and the quantity of any other species of corn consumed in bread, is now reduced to an inconsiderable proportion of the national consumption *,) requires an addition supply of 3,500,000 quarters of wheat. Therefore, deducting 1,100,000 quarters for the amount of our former export and present import, it will appear, that there has been an increased produce of 2,400,000 quarters of wheat within the kingdom on an annual average, and prove to demonstration, that the cultivation of wheat has not decreased, but has been wonderfully increased, notwithstanding the existence of tithes in kind or by composition.

And "the active spirit of domestic melioration, "which existed before the present war began, has "continued with augmented energy, during the "progress of hostilities. The world will contem- "plate it with wonder. Millions, and tens of

* The consumption of wheat in bread, by each person, is annually one quarter on the average; of barley, one, and a half quarter; and of oats, two quarters. If the whole population ate wheaten bread only, the total consumption of the kingdom, of every sort of corn, and for all uses, on the principles laid down in Smith's Corn Tracts, and according to the enumeration in 1811, would be,

	Quarters.
Bread corn at one quarter each	10,150,615
Corn made into drink	5,075,307
Corn for cattle, poultry, &c.	5,075,307
Total	20,301,229

"millions, have been raised on the people, for
"carrying on an interesting war; yet they found
"money, as they had skill and industry, to im-
"prove 'this island of bliss, amid the subject seas.'
"Great Britain, as it has been more improved,
"during every war, is worth more, at the conclusion
"of it, than when hostilities began. And this happy
"isle, where the foot of foe never treads, if it were
"brought to the hammer, would sell for more,
"than it would have fetched at any former period,
"in proportion to its additional improvements.

"Yet, what do all these improvements of the
"country avail, if the people have not victuals to
"eat? This question would lead into the wide and
"thorny wilderness of agricultural reports. I will,
"however, contribute a few truisms.

"First, There have been ten times more agricul-
"tural melioration during the present reign, than
"in any anterior period. Yet is it in this reign,
"that we appear to have lost the export of corn.
"It would be very absurd logic to maintain, that
"the surface of our island, in proportion as it is
"improved, by enclosing, draining, and by every
"sort of manurance, became less productive.
"There are two facts, which are incontrovertible,
"and are very interesting: 1st, During the thirty-
"six years which ended with 1800, the surface of
"our island was continually improved, beyond all
"former example, and in the last ten years of this
"period more, than in the first ten years: 2dly,
"With the same thirty-six years, our importation

" of corn began; and has increased the most, to-
" wards the conclusion of this long period.

" Secondly, During the present reign, there
" have been more skill, more money, and more
" efficient work, employed in our agriculture, than
" in any former period. By a necessary progress,
" the nation had become more knowing, more
" opulent, and more enterprizing. The farmers
" have been better paid for their pains in this
" reign, than in prior times. It would be a very
" absurd argument, then, to maintain, that our fields
" produce less, as they are better cultivated, and
" the farmers better paid.

" Thirdly, This island must necessarily pro-
" duce more victual, in the present reign, than in
" any former period. From more skill, more ex-
" pense, and more manurance, the appropriate
" result must be more product. He, then, would
" be an absurd reasoner, who from such premises
" should maintain, that more skill, more expense,
" and more cultivation, must necessarily produce
" less, upon a medium of seasons.

" From these three truisms there results in my
" judgment a fourth, though others may think dif-
" ferently from me upon the point: that all the
" late struggle, canvassing, and clamor, for a ge-
" neral Act of Enclosure, are groundless. If the
" country be in a continual course of improvement,
" and if this progress of melioration gather energy,
" as it proceeds, this much-sought-for measure is
" groundless, in its policy. If a general En-

"closure Act would divert from profitable employ-
"ments a greater portion of capital, of labor, and
"of enterprize, than would otherwise run into
"that channel, such an act would introduce an
"evil, rather than a good, into our political eco-
"nomy. If all interests, however, could be made
"to concur, there seems to be no objection to a
"general Enclosure Act, except, that the spirit of
"improvement might slacken, perhaps, if that ob-
"ject were obtained; as lassitude generally follows
"enjoyment.

"From the foregoing truisms, I am inclined
"strongly to think, that there is more victual *
"produced, at present, in a bad season, than there
"was formerly produced in England and Wales,
"in a good season. If we throw into the scale
"the vast quantity of potatoes, which are now
"annually grown, more than were fifty years ago,
"the balance will show, that there is raised at
"present, an infinitely greater quantity of victual
"in bad seasons, than there was, fifty years ago,
"raised in good seasons.

"The difficulty, and the distress, of late times,
"did not arise from our producing less, notwith-
"standing the unfavorable seasons; but from our
"consuming more. The consumption is not only
"much greater now, than formerly, but many
"consumers, who in less opulent times formerly

* I use the good old English word, victual, as it was used by Shakespeare, and by Parliament, in the reign of Charles II. in a larger sense, than corn, as stores for the support of life.

" eat rye-meal, and oat-meal, now eat flour of
" wheat. The consumption of the whole body of
" consumers is not only more expensive, but it is
" more wasteful at present, than formerly. A re-
" volution, which has gradually taken place during
" the last fifty or sixty years, has lessened the
" number of suppliers, and added largely to the
" body of consumers. The cottagers have been
" driven into villages; the villagers have been
" forced into towns; and the townsmen have been
" enticed into cities: while the cottagers remained
" in their hamlets, and the villagers in their vi-
" cinages, they derived much of their subsistence
" from the soil, whereon they lived: when they
" became townsmen and citizens, they ceased to
" be partly suppliers, and began to be altogether
" consumers.

" We owe much of this disadvantageous change
" to our modern system of agriculture. This
" system, as it has been long practised, has pro-
" duced the most calamitous effects, without ef-
" fecting all the salutary consequences, for which
" it is celebrated. By consolidating farms to an
" enormous extent; by forcing cottagers from
" their hamlets; by pretending to make much
" profit with little labor; the agricultural system
" has depopulated, and is depopulating the shires,
" wherein it prevails. This evil, in our political
" economy, has been long suspected: it is now
" certain. There is not a proposition, in the ma-
" thematics, that is more demonstrable, than the
" position, that the agricultural system depopulates

" the country *. The agricultural system attempts " to ape the manufacturing system, which has a quite " different tendency. The great aim of the manu- " facturing system is to produce a better com- " modity at a cheaper rate. The constant effect " of the agricultural system is to produce a worse " commodity at a dearer rate †."

* Yet adds the author in a note, see the " Observations " on the Results of the Population Act, 41 Geo. III." which from different documents, leads to very different conclusions.

† Chalmers's Domestic Economy of Great Britain, &c. pp. 245—253.

CHAPTER THE NINTH.

ON THE INFLUENCE OF TITHES ON THE NATIONAL AGRICULTURE, CONTINUED.

THE extract in the preceding chapter, (the length of which, it is hoped, will be excused on account of its importance,) is highly illustrative of the progressive improvement of our agriculture; and proceeding from the pen of an acute and able writer of acknowleged reputation, it may be admitted as a demonstration of the astonishing increase of our agricultural products, notwithstanding various circumstances have occurred at times, to check the spirit of exertion, to repress the ardor of improvement, and to render almost torpid the national faculties.

But such has been the growing opulence, power, and resources of the kingdom, that, independent of other increased agricultural products, and the difference between an import and an export of wheat to the amount of 1,100,000 quarters per annum, the increase of our wheaten tillage alone must have extended over at least 800,000 acres, and by its produce at three quarters per acre, afforded bread to an additional population of 2,400,000 persons.

Let it be permitted to ask, what has been the operation of tithes in kind or by composition, during this period of the improvement and extention of our national agriculture? Has the payment of tithes operated to impede the superior culture of the lands heretofore in cultivation, or to prevent the improvement of those usually esteemed waste and unproductive? On the contrary, has not an immense capital been invested in every species of agricultural concern; and from its lucrative returns, amply repaid the skill, spirit, and industry of the land-occupiers, and held out to them every inducement to multiply their products; and by their progressive opulence, enabled them to proceed in similar undertakings, to the further augmentation of their own wealth, and to the general benefit of the national population?

"Such has been the flourishing state of agri-
"culture for twenty or thirty years past, that
"scarcely an estate is sold, if divided into lots of
"forty or fifty to two or three hundred a year, but
"is purchased by farmers, who can certainly afford
"to give for them more than almost any other per-
"sons, as they turn them to the highest advantage
"by their own cultivation; and hence arises a fair
"prospect of landed property gradually returning to
"a situation of similar possession to what it was an
"hundred, or an hundred and fifty years ago, when
"our inferior gentry resided upon their estates in
"the country, and by their generous hospitality,
"diffused comfort and cheerfulness around them.
"Nor let us envy or grudge the farmers this pros-

" perity: by their laborious and spirited exertions, " they highly deserve it *."

The fact of our having been obliged to import wheat of late years to the amount of our former exportation, certainly proves the past insufficiency of our home-produced wheat for the consumption of the kingdom. But does it prove that insufficiency to have been occasioned by a decrease in the quantity grown, on account of the payment of tithes?

Tithes existed at the time we were able to export to the amount, which we have been so lately obliged, perhaps by temporary causes, to import. If, then, the operation of tithes was not able to prevent an exportation at one period, why should the same cause be able to effect an importation at another? For, if the operation of tithes did not depress the cultivation of wheat, when the price of it was low from the great quantity grown, why should tithes obstruct it, when that cultivation (as it is said) is decreased, and on that account, the price of what is grown most certainly increased; so that the value of what is produced, is more than proportionably enhanced to the growers of it?

The preceding statement of our importation for so many years, does indeed prove the fact, without developing the extent of the necessity of it: which may be partly discovered in the alterations which the cultivators of our lands have adopted, in the management of their farms; and which have tended

* Essex Agricultural Report, 1807, vol. i. p. 40.

more to their advantage, than the cultivation of corn, at even its late very high prices. Nor ought we to wonder, that, from the great advantages arising from grazing, our interested farmers should have turned their thoughts towards pasturage, in union with tillage; by which plan the cultivation of wheat in particular parts of the kingdom, may perhaps be somewhat decreased, whilst on the whole, it has been greatly extended. And, though England, for some years past, may not have experienced the benefit of a wheat export; yet let it be called to mind, how amply this loss hath been compensated by the immense increase of her population and opulence.

But however this decrease in the cultivation of wheat, (if there be really any foundation for such an opinion,) will most probably be found, in the neighbourhood of great cities and manufacturing towns, and on the coast. There being in the neighbourhood of great cities and manufacturing towns, an extensive and regular demand for the stock of the grazier, with milk, vegetables, &c. and on the coast, an opportunity of carrying cattle, butter, cheese, &c. to market at an easy rate, it ought not to be a matter of surprise, that, in such places, and in such situations, tillage should rather decline: since the farmer can thus convert his land to a more profitable mode of management and cultivation, and be enabled from his increased profit to purchase, even of a foreign market, that bread-corn for the consumption of his family, which he formerly used to raise himself.

To attribute, then, the high price of wheat to the operation of tithes, is unfair and unjust, since the payment of tithes does not appear, in reality, to have had any effect upon the agriculture, population, wealth or prosperity of the kingdom: all which, of late years, have rapidly advanced; and under the protection of Providence, may be expected to continue to advance, with equal celerity and success.

Under the genial and energetic influence of our free and happy Constitution, this is not an unreasonable expectation. According to the author of The Political Survey of Great Britain, before quoted, "It is a matter beyond all dispute, that "The beauty, and even the fertility of a country, "depend upon the policy, that is, on the nature "of the government to which its inhabitants are "subject*." And, in confirmation of this, he instances Judea or Palestine, in particular; which, under the Jewish civil power, (and, we may add, under the payment of above a fourth part of its landed produce in tithes,) was rendered the most beautiful and fruitful region, though now, under the iron hand of despotism, it hath become, in comparison of former days, a desert. And in England, since the settlement of our present Constitution, (which, "providing effectually for public "power and private security, by a due temperament of rational liberty with sovereign authority, forms the best of all governments, a Li-

* Campbel's Political Survey, vol. ii. note, p. 289.

"mited Monarchy,") the increase of our natural and artificial productions hath excited the wonder, envy and emulation of every other European nation.

It is also contended, that the payment of tithes bears so hard on the skill, labor and expense of the farmer, that he hath no encouragement to make any improvements on his lands already in cultivation, or to improve those which are waste or nearly unproductive: because, the greater his exertions are, the greater will be his expense; and which expense will be further virtually enhanced, by the deduction of the tenth part of his increased gross produce: and that, therefore, it cannot be expected, that farmers will be induced to attempt multiplying their increase, under such apparent and certain disadvantages *.

This, it must be confessed, is one of the plausible objections, which are urged against the payment of tithes †. But it is built upon an error,

* "On one of the largest estates in the county of Derby, "the agreeing for the tithes is left entirely between the "Clergy and the occupiers of the land; and although this "is not the case on many other estates, yet it is a matter of "fact, that not any estate in the county is in a better state "of cultivation and improvement." Howlett's Influence of Tithes upon Agriculture, 1801, p. 26.

† "Tithes are in every case levied on a man's labor and "expense. The lands in this kingdom never produced crops "spontaneously: nor were they ever cultivated without labor "and expense. If, therefore, this circumstance did not "render the institution of tithes unjust formerly, it cannot "now. In talking on this subject, people seldom make al-

which pervades almost every publication, which of late years hath issued from the press, in demonstration of the burthen and evil consequences of tithes. And this error consists in a supposition, or an assumption, that tithes in general, throughout the kingdom, are taken in kind, or compounded for at their utmost value; than which, nothing can be more contrary to the fact itself, notwithstanding the modern introduction of Tithe-Surveyors, who have been lamentably found by their employers, to be at all times too much disposed to favor the tithe payer; and whose valuations accordingly are seldom equal to two-thirds of the actual gross values of tithes.

The Clergy, unless prevented by the unfairness or obstinate proceedings of their parishioners, for the most part let their tithes at a moderately-rated composition,* and that composition, being

"lowance for the superior ease with which every operation "of husbandry is performed, in consequence of improve- "ments in the instruments and the methods of using them. "Barbarous nations are probably not at less expense and "trouble in cultivating their lands than civilized nations, on "account of their awkward and tedious methods and want "of proper implements in husbandry. An agreement for "tithes in a case of enclosure, was by Lord Chancellor "Northington declared unjust, because no consideration "was given for the future improvement of the lands by such "enclosure, and accordingly set aside." Dr. Belward's Defence of the Right of Tithes on Principles of Equity, 1794, p. 31, 33.

* "The Clergy, taken as a body, never wish to take tithes "in kind; and, with some exceptions undoubtedly, gene- "rally compound them at a reasonable price." Bath Agricultural Society Papers, 1805, vol. x. p. 47.

usually fixed at an incumbent's first entering on his benefice, most frequently continues during his whole incumbency, and is augmented only by a rise in the rental of the parish; and a very great number of the Clergy do not avail themselves even of this circumstance. Others again enter into compositions for longer or shorter terms of years, and always at such rates, as secure to the farmer ample advantages, both in the common course of cultivation, or in any extraordinary exertions or improvements, which he might be inclined to make upon his farm.

"The most plausible objection I have ever "heard made to tithes, is, that they are a discou- "ragement to the improvement of land by new "and expensive modes of culture. In answer to "this objection, we may make the following ob- "servations. In the first place, a great part of "the land of England is already in a high state "of cultivation, and needs no such expensive im- "provement: To all such lands, therefore, the ob- "jection does not apply. Secondly, when waste "land is taken-in and enclosed, or when common- "field land is enclosed and improved, the nine "tenths of the new produce of the land after its "improvement, which will belong to the improver "of it, would, for the most part, be a sufficient in- "ducement to him to undertake the improvement "of it, if the parson should be so greedy of gain "as to insist upon having the whole of the remain- "ing tenth part of it paid to him. But, thirdly, "there is not one Clergyman in twenty who re-

"ceives, or claims, the full tithe of the land already "cultivated in his parish: and there are still "fewer who would claim the full tenth of the "produce of any waste land newly brought into "cultivation at a considerable expense, or that "would refuse to make an agreement with the "owner, or improver, of such land, to take a "very moderate sum every year during his con-"tinuance on the living, in lieu of the full tenth "part of the produce to which his right extends. "By a moderate sum, I mean a half or a third "part of the real value of such tenth part of the "produce. And, therefore, the cases in which "the obligation of paying tithes would be an ob-"stacle to the improvement of land, are so few as "not to be worth considering, or making any al-"teration in so important a matter, as the estab-"lished method of providing a maintenance for "the national Clergy, on account of them *."

It is a circumstance to be remarked, in relation to the moderation practised by the Clergy, in compounding for their tithes, that nearly about the time, in which several meetings had been holden in Devonshire for the purpose of obtaining a commutation of tithes, the author of the original "Agri-"cultural View of Devon and Cornwall," transmitted to the Board of Agriculture the following information. "As to tithes, the whole of that "subject is of great importance, but would re-

* Baron Maseres' Moderate Reformer, in Hales's Observations on Tithes, 1794, p. 69.

" quire much more attention than I could possibly " give it, in order to enable me to form any de- " cided judgment on the subject. I can only say, " in justice to the very respectable body of the " Clergy in the two counties which I had the ho- " nor to survey, that they are in general content- " ed with very moderate compositions for their " tithes; and that, I am persuaded, were an ac- " count taken of the whole diocese, it would be " found, that the number of the parishes where " there were any litigations or disputes respecting " their tithes are very few, indeed, in comparison " to those where the people live in harmony with " their pastors."

What opinion, then, was to have been formed of the wisdom, justice, or expediency of the measure, proposed by the holders and abettors of the Devonshire tithe-meetings? On what ground of peculiar and local hardship and oppression could they have supported their pretensions to countenance, from the kingdom at large? Or, on what rational expectation could they have presumed to have flattered themselves, that the Legislature would have attended to solicitations, unconfirmed by facts on the spot, whence those solicitations arose?

On these proceedings of the Devonshire tithe-meetings, it was observed, " Did the Clergy stand " in need of any testimonium of their good tem- " per and great moderation, a stronger or more " convincing one could not be wished for, than " that, out of this extensive diocese (Exeter,) so " very few can be found, (for more you would

" have enumerated, no doubt, if you could have " found them,) who, notwithstanding the equity " of an advance, as well as the provocations they " undergo from unmerited calumny and continued " misrepresentation; so very few can yet be found " who have actually made any advance in their " tithes. And, even in those few parishes you " have mentioned, you ought surely, (if you would " support the character you lay claim to, for truth " and fair representation,) to have specified, whe- " ther the advance made, was by a Layman, or a " Clergyman.

" In two instances in the vicinity of Exeter, " viz. at Colebrooke and Pinhoe, it was notorious- " ly done by Laymen, who were farmers, and one " of them at least was (as to the other of them I " am not so clear) a Tithe-Associator with you; " though it is said you have since expelled him " from among you as a false and backsliding " brother.

" For you are to know, that a farmer, or an " associator, (though he hath been bawling against " and execrating tithes all his lifetime,) no sooner " becomes a possessor of tithes himself, than the " eyes of his understanding are opened at once, " and he then sees clearly the reason and equity " of demanding them, in their utmost latitude and " extent.

" Thus, the Pinhoe farmer, who had with the " utmost virulence abused, persecuted, and ill- " treated a former proctor, for making the very " moderate demand of about 5s. an acre for corn,

"hath discovered, since he became possessor of "tithes himself, that they are well worth 16s. per "acre; a price he demanded, and actually re- "ceived last year!!! They may hang him in ef- "figy if they will, but he cares not; he will have "his 16s. per acre tithe for all that! He can sit "snugly at home in his chimney's corner, and "sing to the tune of

"———Populus me sibilat, et mihi plaudo
"Ipse domi, simul ac nummos contemplor in arcâ."

"Such practice, however, and such practitioners "as these, are not without their uses. The "Clergy are thereby taught, from the very best "authority, viz. that of the farmers themselves, "what is the true and real value of their tithes: "for when 16s. per acre is demanded by one far- "mer, and is actually paid by another, you have "the judgment of both, as to the true ratio and "value of the tithes *."

Among the Impropriators, the practice of taking tithes in kind, does not much prevail, unless by compulsion; they most commonly abide by a composition for a longer or shorter term of years: and, even amongst those Impropriators, who are averse to entering into a composition for any length of time, they seldom take their tithes in kind, but a temporary composition for them; which, though varying from year to year, and therefore bearing a

* Three Letters on Tithes and Tithe-Associators, 1796, p. 39.

nearer proportion to the value of the crop on the ground, is nevertheless very considerably in favor of the farmer.

Thus, the advantages to be derived from extra exertions, or in the common course of cultivation, the farmer, (as it is presumable he knows what he is about to do,) may in general secure before hand, by fortifying himself within the line of a reasonable composition.

What, then, becomes of those arguments, which are so pathetically detailed, and so strenuously insisted on, of the hardship, which the industrious farmer experiences, in paying the tenth part of the produce, drawn from his extra exertions and improvements, to those who have contributed nothing to the expense; of the loss, accruing to the farmer, from the want of the tenth part of the straw of his corn produce, for the future manuring of his land; of the loss of grain, accruing to the public from the setting out and carrying away such small quantities, as tithes usually amount to; and of the loss, accruing to the tithe-holders themselves by the reduced price, at which the mixed produce of their tithes always sells? These last are all ideal losses. And, as to the hardship which the farmer is said to suffer in having the tenth part of his produce taken away, it would be found on examination to be commonly his own fault, and unsupported by the general practice of tithe-holders.

But it is too absurd to seriously assert, that a land-occupier will not multiply the products of his lands, as far as his spirit, skill, and capital extend,

for his own sake, notwithstanding he is certain of being robbed (as he is taught to think and believe by designing and interested men,) of the tenth part of his produce or property, as the payment of tithes is with most appropriate decency and justice called; when the particular rent, which every renter of land pays for this tenth part, is considered: and which amounts to nothing at all. Besides, if the payment of tithes in kind or by composition has occasioned a decrease in the growth of wheat on lands subject to tithes, has the growth of it been comparatively increased in the parishes and districts which are exempted from tithes? This assertion, it is conceived, has never been hitherto made by the most strenuous opponents of tithes; and yet it is a fact to be readily ascertained by an active and candid inquiry into it.

"It appears probable, that tithes, whether compounded for or taken in kind, cannot have been greatly injurious to agriculture. But on this point we have more direct and satisfactory evidence, than mere probability, arising from merely speculative reasoning. We have numerous instances of lands tithe-free, adjacent to others which are not so, and which at the same time are perfectly similar in soil and situation. Here then, if tithes are really so pernicious as has been contended, should we not behold a manifest contrast in their state of cultivation? Should we not see the latter comparatively rude and barren? the former rich and flourishing? But how is the fact? A very candid and obliging

" Lay-Friend has suggested to me a striking in-
" stance of the contrary within seven miles of
" this place. The parish of Tilty, says he, is en-
" tirely tithe-free, and is in a great measure sur-
" rounded by the parish of Broxtead, where the
" tithes are in lay hands, and have, 'till of late
" years, been taken in kind; and even now are
" compounded for, I apprehend, upon pretty high
" terms. Yet it is well known to all the neigh-
" bourhood, that in the latter parish there are seve-
" ral farms in a much higher and more expensive
" state of cultivation than any in the former,
" though there is no want of capital in one case
" more than in the other.

" Nothing can be more directly in point than
" this instance. That of the parish of Elsenham,
" next adjoining to Broxtead, is little inferior to it.
" The tithes, both great and small, are in the
" hands of the Clergyman. The living is a fa-
" mily one, and the tithes have been taken in kind
" by the successive incumbents for, I believe,
" time immemorial; and yet I am assured, upon
" the best authority, that the cultivation is as high,
" and the crops as good, as in the surrounding
" parishes, whether the lands be tithe-free, or the
" tithes compounded for.

" Were I to take a view of the county at large,
" I should have no doubt of discovering proofs of
" a similar kind in every quarter. To hear gen-
" tlemen talk, indeed; some, that tithes are a dead
" weight upon agriculture; others, that they are
" more injurious to the farmers and the public than

" increased rents and taxes; one might naturally " suppose, that this whole county was fast becom- " ing a dreary heath or dismal desert. But, let us " open our eyes, and what a different scene pre- " sents itself! Do we not behold as it were, from " East to West, from North to South, one ex- " tensive rich and variegated garden! In plain, " simple truth, when was the agriculture of Essex " in so flourishing a state as at present? When " were the exertions of the farmer and land-pro- " prietor so alert and spirited as during the last " thirty or forty years? What extensive lays and " pastures have been converted to tillage! What " numerous hedge-rows, groves and woods; what " immense quantities of timber, which pays no tithes " at all, have fallen before the axe and the mattock, " to make way for corn, which pays one of the " greatest and most complained of! When were " the farmers so opulent? When did they pur- " chase such considerable estates? Where has " been the dead weight of tithes so loudly la- " mented? Have they shackled the exertions of " the grazier or the farmer? What reason has the " land-proprietor, what room have the public to " complain *?"

The land-occupier is not unapprized of the claim of tithe; he buys or rents his estate subject to it, and in the purchase or taking of it, provides accordingly: he knows, that he is to account for

* Howlett's Influence of Tithes upon Agriculture, 1801, p. 26, 27, 28, 29.

the tenth part of the produce of his estate, in kind, if required; but he knows also at the same time, that in general he may compound for it, at a price very inferior to its real value, and bearing no proportion to the tenth part of the gross produce of his farm *.

As to the obstacle, which the payment of tithes, in kind or by composition, is said to oppose to the improvement of our waste lands, every land-occupier knows, that all such lands which are within the purview of the statute of the 2d and 3d of Edward VIth, are discharged from the payment of the tithes of corn and hay, during the first seven years next after being converted into arable ground or meadow, and are subject to such kind of tithes only (if any was previously paid,) as was paid for the same before the said improvement. And it must be admitted, that, to facilitate the enclosing and dividing the common-field lands, and the enclosing and improving of wastes, commons, &c., a commutation of tithes, in land where practicable, or by a corn-rent, has

* "No other persons receive only a part of the value of "their property: Why then should the Clergy? They pay "the full value of every article, which they purchase, whe-"ther of their parishioners or others. Why then should "they receive at the rate of ten or fifteen shillings "in the pound, and pay at the rate of twenty? Surely "this must be admitted to be unreasonable: and there-"fore ought not to be required." Dr. Belward's Defence of the Right to Tithes on Principles of Equity, 1794, p. 41.

been sanctioned in a great portion of the Acts passed for such purposes. But it must be also admitted, that in the contemplation of an equal portion of these proposed Acts, the very idea of any commutation has been scouted; and yet the enclosure, division, and improvement of the lands comprehended in such Acts, have neither been prevented in the outset, nor impeded in the prosecution, but have been executed with equal vigor and celerity *.

And, it is to be mentioned in proof of this assertion, that in a large district including many parishes almost contiguous, in which the tithes of corn and hay are in the possession of Lay-Impropriators or Lay-Lessees of the Church, a most extensive improvement of barren and waste lands, from particular circumstances in a worse condition than a state of nature, and yet not within the statute of Edward VIth, has been carrying on within the last thirty years, without the aid of any Enclosure Acts, or any commutation of tithes. The Tithe-holders, according to the long established custom of the country, have either valued the crops from year to year, or compounded for them at short terms, and in either case perhaps at a price under the usual value; being sensible, that by checking the spirit of the land-occupiers' im-

* "In the modern enclosures, the tithe has been sometimes commuted for, but not always. In some instances, "the tithe-owner has refused his consent to such exonera-"tion, and the enclosure has gone on subject to tithes;" Worcester Agricultural Report, 1810, p. 34.

provement, they would eventually prevent the future improvement also of their own property. And the land-occupiers, not being taught to charge "Government with extorting the prodigal "expense of a Church Establishment from the "industry of the farmer, or the Civil and Eccle-"siastical Establishments as agreeing in the ini-"quitous principle of defrauding and oppressing "the landed interest, nor to expect that the period "was quickly advancing, when the people of "England with one voice would resolve not to "pay tithes," have gone on steadily with their improvements; and have found themselves encouraged to persevere, by their immediate returns, and by the certainty of an ample compensation in due time, to repay their skill and industry, and to reimburse their expense*. And it is con-

* With this idea of an unprejudiced cultivator of land, coincides the remark of a Compiler of a County Agricultural Report in Scotland. "When a man from this part of the "island, goes up to England, primed and loaded with all "that has been written against tithes in kind, as hurtful to "agriculture, he is naturally led to suppose, that all farmers "there will be unanimous in exclaiming against this system, "as hostile to their individual interests, and to all improve-"ments in their profession. But what will be his astonish-"ment in discovering, that the great body of English farmers "are decided friends of tithes in kind, and do not wish any "alteration of the system? The obvious reason is, that "tithes in kind are used as a raw-head and marrow-bones, to "beat down the landlord's rent; whilst they take the Parson "into their own hands, and defraud him as much as they "can." Forfar Agricultural Report, 1813, p. 231.

ceived, that, if an inquiry was instituted throughout the kingdom, this example would not be found an isolated fact; but that very many improvements in similar circumstances would be discovered to have fully taken place, or to be in a progressive state of execution.

From time to time, a variety of statements have been brought forward in different publications, to shew, that the payment of tithes, either in kind or by composition, must necessarily prevent the exertions of the land-occupier, in order to the increase of his crops.

Two of these, taken from a pamphlet published some years ago, shall be mentioned here more particularly.

The first of them went to establish as a fact, that on a farm consisting of an hundred acres, at the rent of £150 per annum, with extra exertions in cultivation, there was an yearly outgoing on account of tithes, of £80. And the second also as an equal fact, that on a farm of an hundred acres, at the rent of only £50 per annum, without extra exertions in cultivation, there was an yearly outgoing on account of tithes, of £36.

It too frequently happens to warm reasoners, that they overshoot themselves, and by unwarily going too far, utterly destroy the credibility of their own assertions, and (as in the present instance) to lay themselves open to refutation. Thus, from the foregoing statements, it appeared, that, admitting all tithes to have been actually taken in kind, there would then have been a very consider-

able difference, in favor of the farmer, who had made extra exertions: for, though his rent was three times as much as the rent of the farmer who had made no such extra exertions, he experienced a deduction, on account of tithes, equal to only eight-fifteenths, or rather more than one half of his rent. Whilst the other experienced a deduction, on the same account, equal to above seven-tenths of his rent, without having made any attempt to counterbalance this important difference. And this proves, that the farmer's additional labor and expense were rewarded; and that the payment of tithes, at least in this case, even in kind, are not the oppressive mill-stone on the neck of agricultural exertion, which they are so interestedly and calumniously reported to be.

But, as tithes are not actually taken in kind, but most generally accounted for by composition, what credit could have been given to the statements just mentioned, namely, that out of a farm of an hundred acres at £150 annual rent, there was an yearly outgoing from its gross produce of £80, or that out of a farm of an hundred acres at £50 annual rent, there was an yearly outgoing from its gross produce of £36, on account of tithes? Who could have believed such statements to have been founded on facts? Were they not rather an illusion, built on very questionable premises, and those possibly mistated, if not exaggerated? In the former case, the deduction or composition would have been equal to 10s. 8d., and in the latter to 14s. 5d. in the pound, according to

the rental of each farm, and on the average of arable, meadow and pasture.

Such statements of outgoings on account of tithes twenty years ago, must have been as correct as the distribution stated in the Middlesex Agricultural Report, of the aggregate agricultural produce of England: on which it has been remarked, that "if this calculation be true, a farmer "who rents £100 a year, would be in almost as "bad a situation as his poorest labourers. He "employs a considerable capital, and yet his "whole income is no more than £35. 14s. 3¾d., "for all his skill and labor, and the interest of his "money *."

Even in the late days of high prices, the average of the two foregoing stated outgoings on account of tithes, exceeds the average charge for the tithes of an hundred acres of arable land, in almost every district in England; which, as officially stated in thirty-five returns, amounted to £38. 17s. 3¼d., or 7s. 9¼d. per acre †.

It is also objected, that, if the payment of tithes had not operated to prevent or impede the general improvement of the waste lands, commons, &c., there would not have existed a necessity for the importation of wheat to supply the national consumption, but that there would have been produced a sufficient quantity of our own growth for

* Dr. Beeke on the Income Tax, 1800, p. 30.

† House of Lords Corn Report, 1813-14, p. 145, 146. In p. 142, it is stated at 9s. 7d.; but £38. 17s. 3¼d. will give only 7s. 9¼d. per acre; possibly, a misplacing of the figures.

the subsistence of our own increased population, and that a partial restoration likewise of our former export might have been experienced.

This gratuitous objection, founded on begging the question, will not require much consideration. And the answer to it is, that the waste lands and commons in England, are much below the quantity at which they are usually calculated; that a small comparative portion of them (as reduced by an apparently accurate estimate to about 6,500,000 acres *) is capable of being converted into arable land, and does not amount to 900,000 acres; that the produce of these 900,000 acres, at three quarters per acre, amounting to 2,700,000 quarters, would be still insufficient for the consumption of the additional population of 3,500,000, since the period of our largest exportation of wheat; and that an occasional importation of wheat to a certain extent may be still necessary, and consequently, that no balance of a permanent wheat export in the national favor, could have been effected †.

* Dr. Beeke on the Income Tax, 1800, p. 31.

† "Those who hoped as well as those who feared, in relation to the (late) Corn Bill, seem to have forgot this important fact, that the quantity of corn imported, even in the years of the greatest importation, does not exceed the proportion of a bushel to the acre of land used for raising grain; whereas the difference between an average crop and a good one, is not less than three or four bushels an acre. Thus, we find, a good season affords, over and above what is reckoned an average produce, and which of course is the ground upon which all calculations relative to national subsistence are made, a quantity of corn equal to

A state of habitual and extensive dependence on a supply of foreign corn for the national consumption, is certainly to be deplored, as it must be attended by many evil consequences, both present and remote *. But it is to be hoped, that in a few years, notwithstanding the growing increase of the population and opulence of England, no such necessity will exist; as it is an expectation sanctioned by the Report of the late Corn Committee of the House of Commons, which states, that "your Committee have great satisfaction in "observing, that of late the export of corn from "Great Britain and Ireland has nearly, if not fully "balanced the importation. Looking to this im-"portant change in our situation; to the abun-"dance which we now enjoy; and to the great "and extensive improvement made in cultivation "both here and in Ireland, your Committee can-"not but indulge a hope that we have nearly "arrived at that state in which nothing but a "discouragement and consequent falling off of "our own agriculture can again drive us to the "necessity of trusting to large importations of "foreign corn, except in unfortunate seasons, "when it may be necessary to resort to this re-

"four times the quantity for which we are indebted to fo-"reign countries." British Critic, September, 1815, p. 289.

* What dependence can be placed on a sufficient supply of bread-corn in times of scarcity from foreign countries, when in 1812, and at the price of 126s. per quarter, no greater importation of wheat could be effected, than 100,000 quarters? Malthus's Grounds of an Opinion, &c. p. 6.

"source, to supply the deficiency of our own "harvest*."

Does this extract, from an official document of high authority, present an unfavorable picture of the present state of the national agriculture? Or, does it not afford an indubitable proof, that its extension has been large and rapid, and that the increase of its products has been wonderfully augmented? What inference then is to be drawn from this information, but that the alleged baneful operation of tithes in kind or by composition, on the improved culture of our arable lands, and on the conversion of wastes and commons into corn-lands, has been visionary, and by the clamorous conversations and publications of artful and designing men, made a very scare-crow or stalking-horse to timorous cultivators and improvers?

It is to be lamented, as productive of many evil consequences to the Civil and Ecclesiastical Establishments, that, whenever tithes are made the subject of private or public discussion, the Established Clergy should be brought forward into the most prominent point of view, as if they alone were interested in the property and receipt of tithes; whilst the lay-impropriators, and the lay-lessees of the ecclesiastial impropriations, possess at least an equal interest in them, and perhaps a more extensive one†.

The incomes of one half of the Parochial Clergy (with an exception of the few vicarages

* House of Commons Corn Report, 1814, p. 14.

† Dr. Beeke on the Income Tax, 1800, p. 29.

trivially endowed with inconsiderable portions of corn and hay-tithes, or of both together,) arise from small tithes chiefly, and the right and claims to these are too frequently embarrassed and diminished by moduses, prescriptions, &c; and, from the minute nature and various kinds of these tithes, and from the difficulty of taking them in kind throughout almost every season of the year, the Parochial Clergy are too generally obliged to agree to a composition for them at a very inadequate compensation *.

* "That tithes are better to the land-proprietor, (and it "might have been added) to the land-occupier also, when "in the hands of the Clergy, than in the hands of the lay-"impropriator, is a conclusion deduced from theory, and "amply confirmed by a view of the general fact, that tithes "paid to the lay-impropriator are much higher, perhaps "even twenty-five per cent. than those paid to the Clergy, "especially if the latter are vicarial. And, that the "Clergy, especially the inferior and vicarial Clergy, are "extremely moderate in the exaction of their dues, may, "perhaps with some degree of probability at least, be in-"ferred from their present actual condition, and that in "which their families are generally left. While our mer-"chants, our traders, our manufacturers, our farmers, are "every day raising fortunes, and becoming wealthy and "opulent, the inferior Clergy are sinking deeper in indi-"gence. Witness the numerous charities to support the "increasing number of their destitute widows and orphans; "which, from the benevolence and liberality of our Gentry, "and of the higher and middle orders of our Clergy, are "continually augmented. But the sum total of all these cha-"rities, and all these kind benefactions, I have no scruple "to assert, (because I think, I could prove it,) scarcely "amount to a tenth part of what would be added to the "income of the Clergy, had they constantly the full in-

But the property in tithes, belonging to the lay-impropriators, and to the lay-lessees of the Ecclesiastical impropriations, does not consist of such various descriptions, but generally speaking, is confined to the tithes of corn and hay only; which are the most valuable of all tithes, are of a bulky nature and tangible, and are easily collected, in a short period, and at the most favorable season of the year: they are therefore compounded for at a much higher comparative rate of composition, than small tithes, at any time; even when joined to small tithes as in the case of rectorial parishes.

On the lay-impropriators, then, and on the lay-lessees of the Ecclesiastical impropriations, ought to fall the odium of tithe oppressions, (as they are termed, and if any odium can justly attach to the tithe-holders for a reasonable attention to their equitable and legal rights and interests,) and not upon the Parochial Clergy. But how seldom are any complaints heard against the lay-impropriators and lay-lessees? and, possibly, not without design, on the part of the land-occupiers.

The tithes of the lay-impropriators and lay-lessees, are most readily receivable in kind; and therefore, if the lay-impropriators and lay-lessees were to take offence at the accusations, founded

" creasing value of their tithes; and that a fifth of this " natural and proper augmentation, regularly reserved, " would raise a much larger fund for the maintenance of " their widows and surviving children, than mere voluntary " contributions, liberal as they are acknowleged to be." Howlett's Influence of Tithes upon Agriculture, 1801, p. 12, 16.

or unfounded, brought against them, they are enabled to avoid such imputations in future, and do away the very basis of them, by an actual collection of their tithes in kind; and, through human infirmity, or indignation at the unjust and opprobrious charges leveled against them, might be disposed so to act.

But the Parochial Clergy, when entitled to the great and small tithes of their Rectories, are not in similar situations. Notwithstanding their unfrequent deviation from the line of moderation in compounding for their titheable property, yet, if they attempt to require and insist upon a high rate of composition, they are loaded with every abasing appellation; they are assailed with the disgraceful and odious names of oppressors, extortioners, &c.: and their traducers, not satisfied with such scandalous abuse, vilify their holy profession, and hold up their sacred characters to contempt, degradation, and abhorrence. And, when disposed towards such conduct, (which Christian charity will induce us to hope and believe would not be universal,) they are neither ashamed, nor afraid to pursue it, and for this reason: if their Rector should be inclined to make (what they are pleased to call) a hard bargain for his tithes of corn and hay, or to collect them in kind, they set him at a certain degree of defiance, by refusing to compound for their small tithes; that, forgetting their own vexation and loss in setting them out, they may give him the trouble of taking them in kind; and that, if not carried away in a reasonable time when set out, they may enjoy the consoling satisfaction

of bringing an action against him for damages. And in such cases, they seldom fail to boast of their having been a match for the Parson, with some injurious and disgraceful epithets, indicative of their dishonest and vulgar triumph.

Thus circumstanced, the Parochial Clergy, who are Ministers of the Gospel of Peace, and are commanded, if it be possible, to live peaceably with all men, and to cut off occasion from those who seek occasion against them, have little inducement to be too attentive, and much less oppressive in compounding for their tithes; or, if compelled to the alternative, in collecting them in kind. "They are, "when fairly treated, moderate in their composi- "tions: and, when cases of rigorous exactness, "either in compounding for or collecting tithes in "kind, are to be cited, they are seldom, if ever to be "ascribed to the Clergy, but to the Impropriators "with their lessees and tenants, and more espe- "cially to those farmers and tithe proctors, to "whom the Clergy and Impropriators are some- "times obliged to let their tithes, through the "caprice, obstinacy, fraud and injustice of the land- "occupiers; who thus expose themselves to the "power and will of those who know full well the "value of landed produce, and who, having no "other motive to engage in the collection of tithes "than to enrich themselves, will not abate the "smallest part of their demand *.

It will yet be said, that, as the payment of tithes

* Three Letters on Tithes and Tithe-Associators, 1796, p. 5.

takes away the tenth part of the produce, and consequently the tenth part of the profit which every man ought to gain upon the expenditure of his capital, it hath exactly the same effect, as if a tax of £10 per cent. was laid upon all agricultural exertions and improvements; and that therefore a farmer must make £20 per cent. of his money laid out, in order to secure £10 per cent. profit to himself*.

Though this is placing the operation of tithes in the most unfavorable light of which it will admit, it is founded on the erroneous principle, of all tithes being actually taken in kind, or compounded for at their utmost value: which hath been shewn to be so far from true in either respect, that with few exceptions it is always in the power of the farmer to secure to himself an ample return, for all his exertions and improvements, by compounding for his tithes, at least with the Clergy, at a very moderate rate in comparison of their real value.

"The Clergy," says a strenuous objector to

* "An objection has been urged with far more pertinacity than reason; namely, that the cultivator employs capital and industry, for the Clergyman or Titheholder. The answer is obvious. He no more employs capital and industry for the Clergyman, than he does for the landlord; for without such capital and industry, rent could be as little produced as tithe. Besides no one has stated it to be a hardship for the cultivator to find capital and industry on a tithe-free estate; and, therefore, on a tithable estate, he is not placed in a less equitable situation." Three Letters to John Benett, Esq. by the Reverend William Coxe, Archdeacon of Wilts, 1815, p. 52.

tithes, " are in general very moderate in their " demands, and to their moderation the poor are " indebted for the scanty subsistence they possess; " and yet the whole odium of tithes lies upon " them. The income they receive almost always " bears an inverse proportion to their merits; the " few who are rapacious and oppressive, and who " are regardless of every thing, but their own in- " terest, being alone well paid."

This passage, whether so designed or not, reflects the highest credit on the great body of the Parochial Clergy, though at the expense of a few. It must be admitted as a proof, that the Clergy in general are not unreasonable in compounding for their tithes: and therefore it is both unjust and indecorous to stigmatize them with the epithets of rapacious and oppressive on account of the conduct of a few more attentive to their interests, and who probably may have been induced to require higher rates of composition, or to take their tithes in kind, through the improper behaviour of the land-occupiers.

Nor is it less offensive and indecent to throw out insinuations against " the equity of many of the " late decisions in the Court of Exchequer," or to assert, that " necessary as a commutation of tithes " is to the existence of this country, it will meet " with the most strenuous opposition from the pre- " sent (1797) Minister, and who will be warmly " supported by the narrow short-sighted policy of " a part of the Bishops. Should their opposition be " successful, agriculture cannot possibly keep pace

" with the increasing consumption and demand of " provisions: their price will in consequence be- " come annually more disproportionate to that of labor, the Clergy will become annually more " hated, the distresses and discontents of the lower " classes of society will rapidly increase, and the " tithes, with the possessors, will soon disappear " together, without an Act of the Legislature."

It is not unusual in the advocates for a commutation of tithes to applaud themselves, and support their proposals, by professions of disinterestedness in their patriotic endeavours; by stating, that a commutation would militate against their own private interest, as either doing away their advantageous privilege (in conjunction with many others) of having their own landed property discharged from tithes, or as diminishing the value of their property in tithes as lay-impropriators or lay-lessees of the Ecclesiastical Impropriations. But, probably, such their apparently disinterested professions will not be wholly credited, nor their ardent exertions and expectations meet with many co-operators, when coupled, according to the conclusion of the last extract, with instigating, as it were, a crusade against the legislature of the kingdom, and with soundingthe trumpet of invasion against the rights of the Established Church, (admitted to be exercised with great moderation,) and vitally connected with its permanent existence.

The most ancient property and inheritance in the kingdom is not to be subverted by the clamors of the artful, or by the theories of the ignorant;

nor are the decisions of the courts of law and equity, to be impeached, nor the legislature of the kingdom to be overawed, by the effusions of deceit and insubordination. The still voice of reason will not fail to reprobate and condemn such bold and violent attempts, either in argument, or in action; nor will the law fail to express them, if necessary, by the strong arm of its efficacious authority.

And when the advocates for a commutation of tithes proceed to say, that "A corn-rent or some-"thing similar, would afford a much better main-"tenance for the Clergy, than they now possess, "and would be preferred by a large majority of "them*," the writer of this Essay humbly presumes, that, from his extended professional opportunities of being acquainted with the sentiments of his brethren on the subject, he may be permitted to reply, that such a position is not founded in fact, and is totally at variance with the interests and wishes of not only a large majority, but with few exceptions, of the whole body of the Clergy; and being not wholly without a practical knowlege of agriculture on a moderate scale, and therefore compara-

* The commutation of tithes is not to be regarded, as a mere clerical question; and the assertion, that the Clergy would be friendly to such a measure, is ungrounded. The Clergy must know, that no kind of commuted value of their tithes would place them in the same pecuniary situation, as they at present enjoy; and even admitting the Clergy to be favorably disposed towards a commutation, the interest and property of those, who have a permanency in tithes, the lay-impropriators, are not to be sacrificed to the inattention, ease and credulity of those, who have only a life estate in them.

tively enabled to form an estimate of the expenses, returns, and profits arising from agricultural pursuits, he trusts his brethren will never agree to a commutation of tithes, upon any exchange whatever. And, from the attention, which he has paid to the interests and revenues of the Clergy during the last twenty-five years, he trusts also, that his declaration, without any imputation of egotism or arrogance, may be entitled at least to equal credit, with the declaratory assertions of objectors to tithes *.

Whether or not, the influence of tithes has been prejudical to the improvement and extension of the national agriculture, is not to be decided by bare assertion, by idle declamation, or by a few isolated statements; and these latter possibly resulting more from the folly, prejudice, obstinacy and fraud of the payer of tithes, than from the conduct or demands of the tithe-holder, of the Clergy or Laity. But the question must be decided by the evidence of accumulated and positively substantiated facts, that the general progress of agriculture in England, has been impeded by the operation of tithes.

* "Beneficed Clergymen, having no estates in land, and "writing in defence of tithes, are entitled to at least as much "credit as land-proprietors, or their agents, declaiming "against them; even though the latter be supported by a "Board, which requites public grants by countenancing gross "invectives against the existing laws. The former are main-"taining ground, occupied for centuries with benefit to the "kingdom; the other are bringing forward innovations, of "very questionable tendency at the best." *British Critic*, vol. xix. p. 455.

And, does there exist any one so rash, and so lost to all sense of shame on refutation, who will seriously and deliberately make, and adhere to such an assertion, and with the hope of being implicitly believed? If any proofs do exist, they exist on the other side; and those proofs are incontrovertible: they are founded on the undeniable and evident basis of a wonderful extension of our agriculture, on the immense capital invested in that concern within the last forty or fifty years, and on the consequent amazing increase of all agricultural products within the same period.

The various statements of the compositions or payments for tithes, given to the public from time to time, have reference chiefly, if not uniformly to arable lands; and though it requires no peculiar sagacity to discover, that, as the produce of arable land much exceeds the produce of meadow and pasture, and that therefore the compositions for the tithes of arable must greatly exceed those from grass lands, yet those statements have a tendency to make the compositions for tithes in general, without due consideration, appear double and treble to their actual amount, on the average of arable, meadow and pasture lands: And they all likewise proceed upon the idea, that the utmost value is paid for arable tithes, when not collected in kind, than which nothing can be more incorrect.

But admitting them to be correct, in what manner can the compositions or payments for tithes check the exertions and improved culture of the land-occupier, more than the payment of rent

to the land-proprietor? When a farmer takes an estate, he knows, that the land-proprietor's price must be acceded to, whether at 15s. 20s. 30s. or even at an higher price per acre: and he also knows, that he is to account to another proprietor for the tenth part of the produce of each acre, and which he is aware is usually estimated in proportion to the capability of the land, and generally by the mean of a tithe surveyor; and he is further aware, that this estimate is commonly continued for a longer or shorter term of years, though in a few instances it may perhaps be re-made annually.

In former times, monied rents were almost wholly unknown; and therefore as already mentioned, rents, through the want of specie were necessarily paid in kind, and by a certain determinate proportion of the products of the land. Supposing at this time, a land-proprietor should propose to his tenants, that, in consequence of the uncertainty of crops, and the fluctuation of agricultural prices, he would no longer accept a monied rent for his lands, but a settled portion of the annual produce, whether a third, fourth, or fifth *;

* "It is usual in some parts of the Kingdom, as particularly in Norfolk, for the owners to let their lands to halfs "to their tenants; that is, that the tenant should have one "half of the product for the charges of husbandry, and the "owner the other half for the use of the ground." Prideaux on Tithes, p. 104. In the western counties, instances of this practice may be observed in the present times: and it is there called, tilling on the half.

and that on their expressly covenanting to cultivate his lands according to the usual rules of good husbandry, he would continue them his tenants as heretofore: would not such an offer meet with approbation and acceptance from the great body of renting land-occupiers?

If this proposition be reasonable between the proprietor and occupier of a farm in respect to rent, in what manner does it differ from the present mode of paying tithes in kind, or of compounding for them, at even their utmost value? If there does exist any difference, it is in favor of paying tithes in kind or by composition: because the proportion of the produce fixed on by the land-proprietor for the use of his land, would always be arbitrary and variable; whilst that of the tithe proprietor would be an invariable tenth part, and which if taken in kind, would be subject to all parochial and parliamentary outgoings, or if compounded for, even from year to year, would be at a reduced composition, in proportion to such outgoings; and of which outgoings the land-proprietor, whatever should be his reserved portion of produce in lieu of rent, would not fail to throw his proportion wholly on the occupiers of his lands.

It is conceived, that a proposition of this nature would be generally acceptable to the occupiers of

"Rents in kind are, in some countries, paid as high as "one-fourth or one-third of the produce, with a flourish-"ing agriculture." Suffolk Agricultural Report, 1797, p. 289.

rented lands, for this reason, amongst others, that there would be no sensible payment of rent! a day looked forward to with a degree of anxiety, and occasionally of distress: and being relieved from this large demand upon the returns of their farms, their capital would have at least the appearance of being augmented, and would thereby induce them to further exertions, in increasing their produce, to the benefit of themselves, and of the community.

With reference, then, to such a proposition, what becomes of the assertion against tithes in kind or by composition, as an obstacle to the improvement of land, and the extension of agriculture, by taking away, or paying for, the tenth part of the increased produce consequent on the extra expense and labor of the land-occupier? The tithe-proprietor, though not directly contributing towards such extra expense and labor, can only take away an invariable tenth part; but the land-proprietor, though he should be no contributer likewise in any degree, would be enabled to vary his proportion of the produce reserved in lieu of rent, as often as he should be so disposed, and even in proportion to the extra expense and improvements of his tenants, whether they should continue to occupy their lands, or leave them to the occupancy of others.

It will be said, that it is not fair to esteem a composition for tithes, as a species of rent, or to confound it with the rent of lands. It may, however, be difficult to point out any very essential difference between them. The land-proprietor lets his lands

at a certain rent, formed on the basis of their capability to yield a certain produce, and on condition of the occupiers paying also a tenth part of the gross produce to another landlord or proprietor, with whom the occupier of the lands is to form a bargain (and such is usually done) for such tenth part of the produce: thus, the land-occupier has to pay rents to two persons instead of one, though those two persons seldom ever receive the united amount of that rent, which the land-occupier would be obliged to pay, if he had only the land-proprietor to deal with *.

It will likewise be said, that according to the present system between land-proprietors and land-occupiers, the land-proprietor lets his land at a stipulated rent, for a term certain; but that an agreement with an incumbent is comparatively of little value, and affords little encouragement to the land-occupier in extra expense and labor: because an incumbent being only tenant for life, and subject to avoidance of his living through many causes, his agreement is not binding on his successor; who is empowered to require an increased composition,

* "To the farmer this grievance (the payment of tithes) "is not so great as may be supposed. If he paid less tithe, "he would pay so much more rent; so it makes only the "difference to him, of settling with two landlords instead "of one: and he may certainly derive more benefit from "the religious establishments of his country, than this trou-"ble can amount to. The same observation will hold in "regard to poors rates." Argyle Agricultural Report, 1798, p. 42, note.

and perhaps in proportion to the land-occupier's extra expense and labor, under the land-proprietor's lease, and the agreement of the late incumbent. It may be true, that a new incumbent, on perceiving the composition of his predecessor to bear no reasonable proportion to the value of his tithes, is enabled to increase that composition. But in what manner, does this mode of proceeding differ, from the general established custom of land-proprietors, either on their purchase or coming into possession of landed property, and afterwards as often as opportunity allows? In the increase of their rents, little attention is usually paid to the interest of the occupiers, nor are their extra expenses and labor considered; but on the contrary, that very expenditure and consequent improvement are made the ground of a demand for an increased rent; and that increased rent is calculated in proportion to the improved capability of the land to yield an augmented produce, in consequence of the extra expense, labor and improvement of the land-occupiers *. Nor is this conduct in new land-pro-

* " It may so happen, that the land-proprietor, from the " fairness and candid indulgence of a Clergyman, may " make terms of ample encouragement to some expensive " and capital improvement. But as soon as the improvement " is completed, and before a farthing profit has resulted from " it, the Clergyman dies. His successor, whether the living " has been purchased for him, or given him by a patron, " has a legal right to take a tenth of the increased produce; " and which may, perhaps, be more than the whole of the " profits. The prospect of this contingency, although it " may not be always attended to, may sometimes, however,

prietors, in the improvement of their rents, commonly any source of complaint with former tenants, and much less with their successors.

In like manner, the land-occupier, in the case of a new incumbent's entry during the land-proprietor's lease, has not more cause to complain, at any advancement in the rent or composition for the tenth part of the produce of his lands: besides, he may have been enjoying an increased return

" operate on the mind of the proprietor as a restraint upon " his exertions, and prevent those improvements which might " otherwise have taken place, both to his own advantage, " and the general public benefit. Even this case, which is " surely the worst that can be supposed with respect to the " pernicious tendency of tithes in the hands of the Clergy, " is not nearly so bad as that of tenants of farms without " leases, upon the death of an equitable, humane and be- " nevolent landlord, succeeded by a thoughtless, needy spend- " thrift, who will not only seize upon the tenth of the in- " creased produce, but nearly on the whole, by augmented " rent; and if the present tenant, from having expended " thousands on the improvement, cannot afford to give the " demanded augmentation, others who have been at no ex- " pense at all, both can and readily will; and the cravings " of indigent prodigality must be satisfied. Instances of " this latter kind, from the nature of things, and a thousand " considerations, more frequently happen, than those of the " former. If, therefore, tithes in the hands of the Clergy " ought, for these reasons, to be abolished or commuted, the " land-proprietors ought also to be obliged to give leases to " their tenants of a properly encouraging length: but I " fancy they will not very readily submit to such restraints, " or any other restrictions, than what their own convenience " and judgment may prescribe." Howlett's Influence of Tithes upon Agriculture, 1801, p. 9.

from his extra expenditure for several years, and at a very inadequate rent or composition for his tithes; or he may have made little or no extra expenditure, before the succession of a new incumbent.

But the charge against tithes, in taking away the tenth part of the increased produce derived from the land-occupier's extra expenditure and labor, without any proportionate contribution on the part of the tithe-proprietor, is neither fair nor correct. The tithe-holder, and more especially the Parochial Clergy, are continually contributing towards the extra expense of the land-occupier: that is, by the moderate* rents or compositions usually accepted by them in lieu of the actual value of their tithes; and which must be admitted by every candid man as an indirect contribution on their part, and acts as an operative stimulus to

* The general moderation of the Clergy in acceding to inadequate compositions or rents for their tithes, is little known or seldom adverted to, if not studiously suppressed. But, if an instance occurs of an incumbent's attempting to raise the income of his living, in consequence of the unreasonable inadequacy of any existing composition under his predecessor, the transaction is not permitted to pass as in the similar case of a land-proprietor's increasing his rent, but is soon made public, and not unfrequently embellished with a variety of totally irrevelant circumstances. And most probably it shall be eventually found on close inquiry, that, when irritated to require higher terms than he would otherwise have demanded, such Incumbent shall not appear to receive above two-thirds of the real value of his tithes, even at his improved income.

extra expenditure and improvement on the part of the land-occupier. But, does the land-proprietor, without an especial covenant for the purpose, ever contribute to the extra expense and labor of the land-occupier, in improving his own property? It will perhaps be answered, by accepting an inferior rent. Admit it; and how does this differ from an inferior rent, or composition, for tithes?

It has been remarked, that "if the wages of the "labourers do not keep pace with the times; and "if labourers are consequently maintained in part "by the poor-rate (which we believe to be ge-"nerally the case,) so far tithes are made subject, "and do actually contribute to the expenses of "cultivation and severance of the crop from the "ground; and we account this to be a grievance "fast increasing upon tithe-owners, as well as "upon small farmers who do their own work. "Strange as it may seem, great farmers are great "gainers by an increased poor-rate, supposing it "to be expended for only lawful purposes. If "these persons, instead of paying 2s. a day, can "put off their numerous labourers with 1s. 6d., re-"ferring them and their families to the overseer "for 6d. more, is it not evident, that they throw "a great portion of this burthen (we do not say a "fourth part) upon those, who neither employ "nor create any poor at all, especially upon "those who occupy their own little patrimony?" (British Critic, vol. xix. p. 455.) And it has been also remarked, that the non-advancement of la-

bourer's wages in due proportion to the advanced price of provisions, "operates equally to the dis- "advantage of the little farmers, as of the tithe- "proprietors. While the little farmers perform "the greater part of the labor of their farms them- "selves, they are obliged to pay, through the "poor's-rates, no inconsiderable share of the wages "of the great farmers' workmen. The cause and "consequence of this I do not recollect to have "seen better proved and illustrated, than is done "in a series of Letters, by Mr. North, Rector of "Ashdon in this county, to his friend in London, "and inserted in the Annals of Agriculture, No. 201 *."

"Tithes," says an able writer, "enable the lower "class of tenants to better their condition. Be- "cause from the course of things, the Clergy, as "has been already proved, never receive the full "value of their tithe, and therefore, the difference "between that full value and the actual receipt, "goes every year to augment the capital of the "farmer or the food of the labourer. For the land- "lord can never add this difference to his rent; "because it is so extremely fluctuating in its "nature, that it is impossible to ascertain its "average value for any number of years; because, "in the eye of the law, no such difference exists, "the law giving the whole tenth to the parson, "and consequently the landlord can set up no

* Howlett's Influence of Tithes upon Agriculture, 1801, pp. 17, 18.

" claim to any part of it; because from the in-
" terested cry of the landlord against tithes, ge-
" nerally echoed by the tenant, a prejudice usually
" exists against tithes in a greater or less degree;
" this prejudice in aid of the legal claim of the
" Clergy to the full tenth of the produce, and the
" fluctuating nature of that part of the tithe which
" remains with the farmer, effectually prevent the
" landlord from demanding any augmentation of
" rent on that score, and equally incline the tenant
" to resist such demand if made. Hence it follows,
" that a considerable portion of the tithes of the
" kingdom, which the law presumes to pass into
" the coffers of the Clergy, remains with the
" farmer, is added to his capital, and consequently
" is expended in maintaining labourers, in aug-
" menting the fertility of some lands, in reclaiming
" the sterility of others, in extending the dominion
" of the plough, and multiplying the produce of
" the kingdom. What follows? That tithes ought
" neither to be abolished nor commuted; but left
" precisely as they are: a real blessing to the lower
" classes, a rampart against the increasing op-
" pression of landlords, and a source of national
" prosperity.

" From this view alone of the subject, I can
" scarcely avoid a suspicion, that the enemies of
" the tithing system are, for the most part, either
" dishonest men, who concealing their unprincipled
" views under a specious veil of patriotism, would
" surprise the Imperial Parliament into a legisla-
" tive measure tending to legalize oppression, and

" let loose the landed vultures on the most nu-
" merous and useful part of the community; or
" else, men of such shallow understandings, or
" whose minds are so warped by the grossest de-
" lusion and most degrading prejudice, as to be
" incapable of discussing the simplest questions
" of political justice or expediency *."

It is, again, unfair and incorrect to state, that the whole increased produce derived from the land-occupier's extra expense and labor, is calculable, or to be confined to one year or one crop. Extra expenditure is usually made on arable lands preparatory to tillages for wheat; but the advantages resulting from it are felt, not only in the succeeding wheat crop, but continue in the subsequent corn and green crops, unto the next wheaten tillage; that is, for three, four, or more years, according to the system of agriculture practised in different parts of the kingdom. A land-occupier, therefore, expending £10. per acre extra in preparing a tillage for wheat, receives not only an immediate return in the increased produce of the wheaten crop, but probably a much larger remuneration in the successive crops, in the three following years on the average; as those crops are raised in the usual course of husbandry, and without any extra expenditure or labor. If then an annual average extra expense, say of 50s. per acre, is not sufficiently reimbursed by an average en-

* Commutation of Tithes in Ireland, injurious not only to the Church Establishment, but to the Poor, 1800, p. 20.

larged produce, the expending land-occupier must be very unequal to his profession; and it would be more advisable for him to place his capital out at interest, or employ it in some other concern.

It remains to be remarked, that, according to the generally received opinion, and that opinion probably founded upon actual observation, the increased produce, upon the extra expense and labor of the land-occupier, must and will repay not only the prime cost expenditure in capital, and of the interest upon it, but the extra demand also for tithes, if any such should eventually be made, and paid in kind or by composition: and, therefore, he must be a very spiritless land-occupier and agriculturist, who shall be deterred by the consideration of tithes, from engaging in any extra expense or labor, either to increase his produce, or to improve the inferior lands in his occupation.

"An individual, neither obnoxious to vulgar "prejudices, nor above temporizing with general "obstacles, wisely regards his personal interest as "of more consequence, than the gratification of "malignant feelings, or the fruitless exposition of "known errors; and will not be content to neglect "enriching himself, for the sake of depriving ano-"ther of what would fall to his share; or prema-"turely attempt to alter what is consecrated by "time. It matters little to him who gains some-"thing, provided he gains enough, and propor-"tionally to his exertions. Are tithes and poors "rates uncertain? equally so, are the seasons. "Does a man, by virtue of being a Clergyman,

" acquire a right to an income, and the increase of
" that income, without personal labor? the same
" may be said of the heir of an estate, by virtue of
" his being the first-born. Of what concern are
" these things to me, provided I can enrich myself?
" Suppose, I lease a farm at £1,000 a year: hav-
" ing paid rent, tithe, poor rates, taxes, labor, and
" all expenses, I clear £300 a year; but, I find,
" that by introducing other practices than those I
" have been accustomed to, I can double my pro-
" duce at the same expense; shall I not, then,
" triple my profits, or clear £900 because a tenth
" of these profits must be paid to the Clergyman,
" leaving me only £810? Supposing this tenth
" necessarily added to the expenses of raising this
" additional crop, who, possessed of common sense,
" would decline allowing it for the superior profit
" to be obtained? And why not, then, consider
" tithes, in this case, in the light of expenses?
" But, says an opponent more splenetic than wise,
" or my neighbour who rents a farm tithe-free,
" had you not had the tithe to deduct, your profits
" would have been £900. True, say I; but in
" that case I should have had a higher rental from
" the commencement of my lease: my first profit,
" in place of £300, would have perhaps been less
" than £200; and by tripling my profit, I should
" not have had above £600, which is £210 less
" than I have stated as my clear gains, notwith-
" standing what you so much decry as a bar to in-
" dustry and profit *."

* An immediate and effectual mode of raising the Rental

And It is unfortunate for the argument against tithes as an obstacle to the improvement and extension of agriculture, that it is seldom brought forward, when the price of corn is low; and when it is high, it can have no effect *. But the true impediment, or rather retardment of our agriculture, in its improvement and extension, has been to be attributed to the want of capital, which impediment or retardment has been gradually ceasing during many years, through the late high prices of corn and all agricultural products, which have opened the understandings and feelings of the land-occupiers to their real and best interests: so that, though the land-proprietors have not latterly been much disposed to grant any or short leases only, there are not wanting active and intelligent land-occupiers on such terms, and with capitals adequate to all the purposes of their occupations.

'But, admitting the truth of the foregoing objection, for argument sake, that the payment of tithes takes away the tenth part of the increased produce and consequent profit of the land-occupier on his extra expenditure, and that therefore he must make a return of twenty per cent. to secure ten per cent. to himself, Does it appear, that the progress of the national agriculture has been at all impeded by it? On the contrary, hath not the national rental been wonderfully augmented during the late century, and more especially within the last twenty-five

of Landed Property, &c. by a Scotch farmer, now farming in Middlesex, 1810, p. 13.

* The present rapidly depressed price of corn may be urged in opposition to this argument, on account of the

years, and which cannot be more truly ascribed to any other source than a progressive improvement in the cultivation of that soil, from which alone it is derived *?

Again, is the investment of money or capital in agricultural concerns, the only business or employment of capital, in which the whole gross returns or profits do not centre with the invester? What shall we say of our manufactures, trade, commerce, and navigation? If all the various taxes, deductions, restraints, and impediments, (which are incident to these, and tend to check internal and external circulation and consumption,) were removed, Can any one doubt, that the profits, de-

clamor now raising against the charge of tithes; but on a general principle, and agreeably to past periods, it is conceived that the assertion is well founded.

* "If the institution of tithes were not unreasonable when "it took place, it cannot have become so in consequence of "improvements. Because, notwithstanding these improve- "ments, a much greater proportion of the property of the "kingdom was paid to the Clergy formerly than at present. "For at that time the property of the nation consisted prin- "cipally in the produce of the land, commerce existing then "only in a very small degree. But, since the vast exten- "sion of commerce, the produce of the land, however "increased by improvements, is become only a very small "part of the wealth of the kingdom. If then the nation "could afford to give a tenth of its produce, which was then "near a tenth of its whole property, to the maintenance of "the Clergy, can it not now afford to give a tenth of its "produce, when it is become not a thousandth part of its "property? This argument applies to society at large." Dr. Belward's Defence of the Right to Tithes on Principles of Equity, 1794, p. 32.

rived at present from them, would not be greatly increased?

It hath been said, that every new charge, impost or restraint, hitherto laid upon them, and in particular on manufactures, hath invigorated the industrious efforts, and in the event multiplied the profits, of those employed in them; and which may indeed be not improbable, since every year manifests the flourishing and increasing state of our manufactures and commercial concerns. And, again, it hath also been said, that manufactures, &c. may be taxed too high, or too much loaded with regulations; because manufactures cannot support themselves, under the pressure of a confined market; and because the advantages of a commercial intercourse, being naturally fluctuating, may be wholly diverted or destroyed in the course of a few years: whilst the effects of exertions and improvements in agriculture (the immediate source of its own support and provision,) are more solid and durable *.

* "To the objection, that capital employed in agriculture "is subjected to the operation of tithe, but not when in "commerce, trade, or manufacture, it is replied, that they "who make the objection, introduce a comparison between "things essentially different. Every species of capital or "stock, actively employed, is subject to certain burthens, or "disadvantages, some of which are common, and some pe-"culiar. For example, while the productions of agriculture "meet with a constant and regular demand, those of manu-"facture depend on accident or public caprice. The mer-"chant and the manufacturer incur heavier expenses in pro-"portion to their capital, for wages, rent, rates, and taxes, "and are subject to considerable drawbacks, for long credit

It may, however, be reasonably doubted, what would be the comparative state and produce of agriculture, without the encouragement and assistance of manufactures, trade, commerce, and navigation.

"In governments rightly managed, there is no "need of a competition or parallel between trade "and husbandry, for in all cases they mutually aid "and assist each other *."

"The effect of trade upon agriculture is visible "in the neighbourhood of trading towns, and in "those districts which carry on a communication "with the markets of trading towns. The husbandmen are busy and skilful; the peasantry "laborious; the land is managed to the best advantage; and double the quantity of corn and "herbage raised from it, of what the same soil "yields in remoter and more neglected parts of "the country. Wherever a thriving manufactory "finds means to establish itself, a new vegetation "springs up around it. I believe, it is true, that "agriculture never arrives at any considerable, "much less its highest degree of perfection, "where it is not connected with trade; that is,

"and bad debts, neither of which ought in any degree to "effect the cultivator. Besides, if capital in agriculture is "subject to the operation of tithe, so is it in many branches "of trade, to that of the excise, and taxes on raw materials, "and in commerce to the duties of the customs." Three Letters to John Benett, Esq. by the Rev. William Coxe, Archdeacon of Wilts, 1815, p. 53.

* Harte's Essays on Husbandry, 1764, p. 27.

"where the demand for the produce is not in-
"creased by the consumption of trading cities*?"

"Many substantial reasons might be adduced
"to shew, that agriculture and manufactures
"should go hand in hand †."

Why, then, are our ears so continually assailed with the cry of "the Landed Interest—the Landed "Interest?" Why are the necessity and policy of consulting the welfare and improvement of it, so constantly and perseveringly, brought forward to public notice? And, Why is that particular interest alone to be paramount and predominant, and to be cherished and supported, at all events, in preference to every other? Are not our manufactures, trade, commerce, and navigation of equal concern and consequence? In the present state of the world, they are most materially connected with our political existence, in the scale of great and powerful nations; and the preservation and extension of them are absolutely requisite to the support of our national consequence, and to give vigor to our internal resources.

Because, though England may abound in the various natural and artificial products, derived from an highly cultivated soil, and may be the first amongst European nations for the excellence and superiority of its materials and workmanship, it never can retain an adequate share of national

* Paley's Moral and Political Philosophy, 1787, vol. ii. p. 374.

† Marshall's Rural Economy of the West of England, 1796, vol. i. p. 50.

strength and importance, without a commercial intercourse with other States, to take off the overplus of our home consumption, the surplus produce of our land and labor: Thus, necessarily, giving an additional and due spring to the diligent toils of the husbandman, to the ingenuity and skill of the manufacturer and mechanic, and to the adventurous spirit of the merchant and sailor; and, eventually, multiplying the wealth, prosperity, and greatness of the kingdom, far beyond their present condition, by the sole operation of a foreign market *.

If such, then, be the high importance of our manufactures, trade, commerce, and navigation, it is asked again, Are they not to be considered of,

* "Many states have by conquest acquired wide dominion, "or have grown opulent by successful traffic: many other "nations have enjoyed liberty and laws, have adorned their "cities by works of elaborate grandeur, and have boasted of "their schools of science, their learning, and their wisdom. "In all these respects England also stands superior. Little "favored by the natural fertility of her soil, and situated in "an inconstant climate, separated by the seas from the rest "of the habitable world, and surrounded by jealous and "powerful competitors in commerce, in arms, and in policy, "she had every thing to create for herself, and when created "to defend. But she has overcome all natural obstacles, "and all political competition. She has gone forward ma-"jestically in her course of prosperity beyond the examples "and the imagination of former times. For wealth, power, "and resources, she stands proudly pre-eminent, and ap-"pears in every quarter of the globe, the boast of Europe, "and the hope of mankind." British Critic, New Series, September, 1815, p. 249.

at least, equal concern and consequence with the landed interest?

"That system which represents the produce of "land as the sole source of the revenue and wealth "of any country hath, so far as I know, never "been adopted by any nation *." And "If agri- "culture be represented as supplying every thing, "commerce and manufactures must decline †." And yet, the attempts of the present period tend to establish the landed interest of this kingdom, as the sure and only basis of its dependence, support, and prosperity. It is become such a prevailing opinion, that, from its agricultural exertions and improvements alone, this kingdom can and will necessarily command every other internal and external advantage, that many scruple not to assert, that, in order to forward this great national view, the landed interest ought to be more favored, if not wholly relieved, in respect to the burthens which lie so heavily upon it; namely, from tithes, land-tax, and poors rates.

But, to judge of the propriety and justice of such a measure, it would be fair and right to compare the extent of the burthens, which are said to prove so oppressive to the landed interest, with those which so undeniably affect our manufactures, trade, commerce, and navigation. And, though the following statements may not be entitled to absolute accuracy, they may nevertheless throw a degree of light on the subject.

* Wealth of Nations, vol. iii. p. 30.

† Harte's Essays, p. 163.

In the population returns for 1811, the families in England, employed in agriculture, are stated at 770,199; and those in trade, &c. at 959,632: that is, in the proportion of seven to nine. The gross capital annually created in Great Britain and Ireland, has been stated at above £430,000,000; of which £216,000,000 arise from agriculture, and £214,000,000 from inland trade, manufactures, foreign commerce and shipping, coasting trade, mines and minerals, fisheries, public and private banks, and foreign income*. The proportion of the agricultural produce created annually in England, has been stated already at about £136,000,000; and by pursuing the same mode of approximation, (though it is conceived, that the annual produce created in England by trade, &c. must comparatively very far exceed the proportions of Scotland and Ireland,) the annual capital created in England by trade, &c. will be about £138,000,000.

Now the permanent and annually voted taxes for the year ending April 5th, 1814, and not including the temporary war taxes, amounted to £38,715,925: to which, if we add for tithes, poors rates, duties on beer, cyder, perry, and all other taxes immediately relating to agriculture, so as to make the total amount of the permanent and annually voted taxes; with all parliamentary and parochial outgoings, equal to £50,000,000, it will be seen without any further minute inquiry, that in the distribution of

* Colquhoun on the Wealth, &c. before cited, p. 96.

the charges incident to the support of our civil and ecclesiastical establishments, the balance of those charges must be immensely in favor of the landed interest *, our trade, &c. in the course of internal and external consumption, circulation, &c. contribute already far beyond an equitable proportion, and to the relief of agriculture: And therefore no well-founded cause can exist for agriculture's receiving additional favor at the expense of other interests, equally necessary to the prosperity, strength, and importance of the state.

But, if the restrictions, imposts and deductions, annexed to our great interests, are to be lightened or removed from off one part, why not from off the other also? Why should not our manufacturers, traders and merchants attempt an alleviation or removal of the restraints and taxes, laid upon their occupations and interests? Have they not as good grounds to proceed upon? Cannot they urge, that their interests are injured, their profits diminished, and their exertions cramped, by this or that particular tax, impost, prohibition, &c. &c.?

In the United States of America, it was many years a point at issue, between the manufacturing and agricultural interests, which of them, in preference to and in exclusion of the other, should be esteemed the grand leading object of the national

* "Some calculators erroneously, I conceive, think that "all taxes fall ultimately on land alone, or at least the income from it pays a much greater share than from commerce or manufactures." Annals of Agriculture, vol. i. p. 59.

attention and encouragement. This contested point was indeed, at last, determined in favor of agriculture; however, not exclusively, but only so far as to allow it a pre-eminence. And the considerations, offered in The Report, "seem sufficient to establish, as general propositions, that "it is the interest of nations to diversify the industrious pursuits of the individuals who compose "them; that the establishment of manufactures "is calculated not only to increase the general "stock of useful and productive labor, but even "to improve the state of agriculture in particular; "certainly to advance the interests of those engaged in it."

Again, "The idea of an opposition between "these two interests, (manufactures and agriculture,) is the common error of the early periods "of every country, but experience gradually dissipates it: indeed they are perceived so often "to succour and befriend each other, that they "come at length to be considered as one; a supposition which has been frequently abused, and "is not universally true. Particular encouragements of particular manufactures, may be of a "nature to sacrifice the interests of landholders "to those of manufacture; but it is nevertheless "a maxim well established by experience, and "generally acknowleged where there has been "sufficient experience, that the aggregate prosperity of manufactures, and the aggregate prosperity of agriculture, are intimately connected*."

* A Report by the Secretary to the Treasury of the United States in 1791.

" A nation diligently and industriously em-
" ployed, has been compared to a piece of tapes-
" try-work, where a certain texture of threads and
" an union of colours, imperceptibly woven and
" blended together, represent agriculture, trade,
" commerce and the mechanic arts. In mixing
" and harmonizing these, consists the great skill
" of the workman: And, except due care be ta-
" ken in this point, the richest materials will be
" weak, unpleasing and useless. Therefore, though
" trade, commercial arts and husbandry should be
" all encouraged and supported in wise govern-
" ments with scrupulous attention, yet still the
" scale may be allowed to preponderate in favor
" of agriculture: But that in so slight a degree, as
" only to be perceived by a few persons of most
" discerning judgment *."

Again, " The grand secret of managing an in-
" dustrious flourishing state, is to harmonize agri-
" culture, commerce and manufactures; giving to
" each, fair scope and attention, and never ex-
" alting one to the manifest detriment of the other.
" The prince that shines in these respects, will do
" an honor to human nature, and his reign will be
" remembered by posterity, like that of another
" Titus! A most illustrious sovereign made this re-
" mark from his own experience: The king's fa-
" vor, in matters of agriculture, is as dew upon
" the grass †."

As far, then, as is consistent with the national welfare, let the landed interest be cherished and

* Harte's Essays, p. 12, 13. † Ibid. p. 161.

indulged, but not to the increase of the burthens already cast upon our other interests, and which appear to be already charged with more than their just proportion. Let our agriculture, manufactures, trade, commerce and navigation go hand in hand as heretofore: And woe be to those men and measures, which shall endeavour to divide them, or favor the one at the expense of the other! They have been long closely united, and flourished unremittingly under that system of regulations to which they have been hitherto subject. Nor is there a rational hope, on their being separated and considered as independent on each other, that any increase can be expected in our wealth and happiness as individuals, or in our prosperity and importance as a nation.

Before this Chapter is drawn to a conclusion, it must be observed, that if tithes had really been capable of producing those evil consequences, which have been so greatly attributed to them of late years, it is very improbable, that the effect of them would have escaped the sagacious penetration of the author of The Political Survey of Great Britain: who seems to have been more intimately acquainted with the internal resources and natural interests of this kingdom, than any of his predecessors or successors in the science of our national economy. And, What is his opinion of the operation of tithes? What does he say, in relation to them? Not a word. And, if the recollection of the writer of this Essay does not fail, he hath not

even hinted at the subject, throughout his long, laborious and important investigation.

His abilities, spirit of inquiry, extent of information, depth of research, and capacity of weighing the future as well as present consequences of our internal regulations, appear in every page of his work: so that, it is next to an impossibility, that the subject should have passed unnoticed by him; or, if he had entertained an idea of the payment of tithes being a political evil, that he could have avoided entering largely into the discussion of it; and more especially, as his work is written professedly for the purpose of investigating our internal resources, and the methods of their progressive improvement.

Nor can it be said, that he was restrained by the fear of disturbing the public opinion, concerning the Established Clergy and their ancient legal Revenue; because he hath given his sentiments, without disguise, in respect to every national improvement, which presented itself to his comprehensive mind, and frequently, in the course of his work, expresses his detestation of concealing his thoughts, or suffering himself to be constrained by prepossessions and partialities of any kind, or in favor of any particular persons or interests. He ingenuously declares, that "A political writer, like "an historian, should be free from all religious "prejudices, and speak his mind with freedom "and candor *."

* Campbel's Political Survey, vol. ii, note. p. 328.

It must also be observed, that, though it be very common amongst a peculiar class of people to talk, in relation to tithes, of the exaction and rapacity of the Clergy, forgetting that there are certain other persons, called Impropriators, equally and probably much more attentive to their interest in the same concern, it may be asked, Wherein consists the exaction or rapacity of the Clergy, or even of the Impropriators? The law of the land hath defined the particular portion belonging to each of them: And, if they are so disposed, where is their exaction or rapacity in taking their full legal portion or inheritance in kind, or in receiving the value of it in money *?

Indisputably, it is not in the power of the united body of the Clergy and Impropriators to be guilty

* "It is remarkable, that no class of men in the kingdom "receive so small a part of their just rights, as the Clergy; "and consequently no class of men in the kingdom less de- "serve the charge of rapacity. It is even impossible for them "to oppress the people. For the law has exactly defined "their right: and if more than its value be demanded, the "people are at liberty to require, that the tithes should be "taken in kind. Under such circumstances it is impossible "for the Clergy to deserve the epithets of oppressive and "rapacious. Amongst the Jews, if the occupier did not "chuse to pay his tithes in kind, but to redeem them, he "was to add a fifth part of their value. Levit. xvii. 31. Thus "a line was drawn, and could not be departed from but to "the loss of the tithe-payer; and thus all those unreason- "able customs, and the still more unreasonable expec- "tations, which are the ground of all disputes on this sub- "ject, were excluded." Dr. Belward's Defence of the Right to Tithes on Principles of Equity, 1794, p. 11, 38.

of the least exaction or rapacity, in the collection of the revenues belonging to them; they cannot go beyond or defraud their brethren in the receipt of those revenues; they have only this alternative, to receive them in kind, or a composition for them in money. And this latter mode of accommodation between the parties concerned, does commonly prevail throughout the kingdom, and is so far from being settled on the narrow and sordid principles of exaction or rapacity, that tithes are compounded for in general, and on the average at a price very inferior to their real value.

The propriety, necessity, and practicability of effecting an Abolition or Commutation of tithes, is strongly doubted. Notwithstanding various plans for such purposes have been presented to the public, they are every one of them so imperfect, inadequate and unjust, as to be more or less ineffectual, or wholly impracticable, and are evidently liable to equal, if not more important objections, than the tithes they go to remove. And, even supposing the utility and practicability of an Abolition or Commutation of Tithes could be proved, Would it not be disturbing the possession of a property which hath been long constitutionally established? And, Is not every infringement, change or innovation in the property of the Clergy, as unconstitutional and unjustifiable, as an attempt to make any change or innovation in the property of any Corporate Body, or of any one individual, who is legally possessed of it?

And, when it is considered, how many direct

and indirect interests and contingences are in connection with, and dependent on tithes, and in justice are to be consulted and provided for, (and probably many of them in opposition to each other,) it is undeniable, that no one general plan can ever comprehend them all, under an adequate and equitable compensation, at present and in future. Besides, it may reasonably be questioned, whether the advantages, so speciously holden up to view, and so eagerly contemplated by interested visionaries, would or could flow from the adoption of either measure, the Abolition or Commutation of Tithes. To a certainty, the interests of the Clergy would be deeply injured: And that injury might gradually reach unto Religion also, and eventually overthrow both Church and State.

It is presumed, that enough hath been advanced to prove, that the operation of tithes is wholly inadequate to the effects, which have been assigned to it: that neither the extension of our agriculture, nor the improvements of our commons and waste lands, have been impeded by the payment of tithes; and that the gradually increasing, and late extraordinary high price of wheat for many years past, has not been occasioned by a decrease in the quantity grown, and more especially by the payment of tithes in kind or by composition, but to many more obvious, more just, and more efficient causes.

And, therefore, since all landed property has been purchased, or has descended to the present proprietors, subject to the payment of tithes, and, if let to tenants, at an inferior price on account

of that outgoing: since land-occupiers in general, throughout the kingdom, may and do compound for their tithes, and on the average at a very low rate in comparison of the real value of their gross produce, and are enabled, with few exceptions, to secure the advantages of their extra expense and labor, by the previous settlement of a durable composition, or in respect to commons and waste lands, under the sanction of the Act of the Second and Third of Edward VI.: And since under the present supposed impolitic and oppressive system of payment of tithes, the agriculture, population, arts, manufactures, trade, commerce, navigation, wealth and prosperity of this kingdom, have gradually advanced for many centuries past, and, in the last, have been most wonderfully and rapidly increased, are increasing, and afford no rational apprehension of diminution: Consequently, the revenues of the Clergy, "particularly the part of them arising from "tithes, have proved neither burthensome to the "Individual, nor injurious to the Public."

CHAPTER THE TENTH.

ON THE NECESSITY OF AN ABOLITION, OR COMMUTATION OF TITHES.

THE object of the three preceding chapters was to shew, that the payment of tithes in kind or by composition, could not have been productive of injury to the land-occupier, or to the public welfare. And the present one will be employed in shewing, further, that from the past progress and great extension of the national agriculture, under the payment of tithes, there cannot exist any necessity for an alteration in the established tithe system *.

The nation having previously experienced two very severe and rapid visitations of providence, in the scarcity and high price of wheat, the Grand Jury of the county of York, at the Lent Assizes in 1800, was induced to attribute them, in a series of most irregular, officious and unconstitutional reso-

* If any repetition of, or recurrence to arguments and illustrations already brought forward, should be remarked in this and the two following chapters, the reader is requested to excuse their re-introduction; which is very transient, though perhaps altogether necessary, if not unavoidable, in the progress of discussion.

lutions, "to a general deficiency of the annual "produce of the country, as compared with its "consumption; and that, as in process of time "the evil was likely to become worse and worse, "and not to be remedied by scanty and precarious "importations from foreign countries, whose pro- "duce was little more than equal to the consump- "tion of the inhabitants, it was therefore necessary "to bring into the best cultivation all such parts "as were capable of it, of the great tracts of our "common, waste, and uncultivated lands; and "that as it seemed a well-founded opinion, that the "want of a fair and permanent compensation in "lieu of tithes in kind *, was one of the greatest "obstacles not only to enclosure, but to the due "improvement of agriculture, it would be useful "to facilitate enclosure, by lessening its expenses; "by reducing the parliamentary fees; by mode- "rating the charges of solicitors, commissioners,

* "Such commutation and compensation ought not to "take place, without the free consent in each case, as well "of the party entitled by law to receive, as of the party "liable to pay tithes." Lincolnshire Amendment of the York Resolutions: British Critic, vol. xvi. p. 506. "Pa- "rishes may have reasons for a general enclosure within "their limits; and they will incline to it, as their interest "guides them. But a Board of Agriculture arrogates too "much to themselves, when they prompt or adopt the re- "solutions of Grand Juries for a general enclosure, or a "compensation for tithes. No such compensation has yet "been devised by the wit of man. Corn rents are an unequal "equivalent." The late Richard Gough Esq. in the Gen- tleman's Magazine, vol. lxx. p. 940.

" and public meetings; by removing obstacles, of " which fair and adequate commutation of tithes " was a principal; and by giving encouragement " to the more spirited management of land, and " to agriculture in general that respectability and " importance in the scale of the public consider- " ation, which it so pre-eminently deserved."

Such was the substance of the Resolutions entered into by the Grand Jury of the County of York, at the instigation of the Board of Agriculture. And, notwithstanding a more artful chain of deductions was, perhaps, never formed against the rights of the titheholders, or more insidiously varnished over by the specious idea of a fair, adequate, and permanent compensation for tithes, or more indecently calculated to bias the public mind, and prejudge the question, prior to a then proposed parliamentary discussion of it, they were nevertheless circulated by the same National Board throughout the kingdom, and without consideration, unwarily and unwisely, if not interestedly, adopted by other Grand Juries.

The principal object in these resolutions, notwithstanding the circuitous artifices made use of to disguise it, was certainly an abolition or commutation of tithes.

But perhaps no attempt to indirectly and indecorously dictate to the Legislature of the kingdom, ever received a more salutary, dignified and severe reproof, than these Resolutions, from two eminent Law-Lords, Lord Chancellor Eldon and Lord Rosslin, on a debate in the House of Lords on

the second reading of a Bill for a general Enclosure *.

The Lord Chancellor said, that "he could not "refrain from troubling their Lordships in the "present instance with a few considerations, "which deeply affected him with respect to the "measure in question. One of the first objec- "tions that struck him, was its originating, in a "great degree, with certain bodies of men, to "whose consideration it was proposed, before Par- "liament was resorted to. To these bodies of "men, as such, the constitution of this country by "no means intrusted the investigation of such "topics. In his progress on some late circuits, he "had occasion to observe, that the Sheriffs of se- "veral counties, who were the King's officers, "submitted the subject in question, in charge to "their respective Grand Juries. To such a line "of proceeding he was decidedly hostile, as if such "bodies of men were suffered to discuss such "points, political or any other kind of topics might "as well be submitted to their consideration. He "felt it his duty to say as much, and had given his "opinion while on the bench against the practice. "It was also with regret he observed, that on some "occasions, where the subject was treated of, lan- "guage was held, with respect to the ecclesiasti- "cal establishments of the country, which it was "neither decent nor just to use. He should attend "to the principles of the measure, as well as to the

* Star Newspaper, May 22d, 1801.

"provisions of the bill; and though his anxiety "was as great to see his fellow-subjects comfort- "able and well-fed, as any person in that house, "yet he cautioned their lordships as to the effect "of holding out false hopes with respect to this "measure *. What related to the article of tithes "involved serious and weighty considerations: "and he alluded to what some modern writers of "a certain description, had held out on that point; "(namely, that if the right of tithe were once got

* It has been observed, that there is at present a rage for enclosures; but neither parochial nor general enclosures are conducted on sufficiently liberal or just principles. They are, with few exceptions, and more or less extensively, interested jobs; and if favorable to any persons, to the great land-holders only, though even that admits of a doubt; and instead of increasing corn, they certainly tend to increase grass. "I "have been concerned in two enclosures; in one instance, "as Lord of the Manor, and a considerable proprietor of "land, and in the other, as a principal proprietor: the "enclosure was so expensive, and so managed, that I do "not consider myself compensated, as an individual, for the "expense in either instance." Lord Sheffield on the Deficiency of Grain, 1801, Part III. p. 172. note. "The great "profit by enclosing, is upon those soils which are convertible "to grass. Upon dry land well adapted to corn, the bene- "fit is far inferior: and the consequence is, that immense "tracts of this sort of land remain open and waste, while the "heavy rich deep soils that have been constantly yielding "wheat under a low rent, are enclosed and converted to "grazing land under double or treble that rent; such soils "where the parishes are large, will bear any expense: and "these have been thus taken from corn that is the food of the "poor, and thrown to bullocks to feed the rich." Young's Question of Scarcity, 1800, p. 74.

"over, landed tithes could be easily affected,) the "principles of Justice should be better attended "to, when that subject was in consideration."

Lord Rosslin, amongst many other pertinent and judicious remarks in relation to the bill before the house, "particularly noticed a printed report, "which he believed had found its way into the "Annals of the Board of Agriculture, stating the "result of a survey made by two farmers from East-"Lothian in Scotland, on some agricultural dis-"tricts in Yorkshire. These two Scotch farmers "had far exceeded the bounds of moderation; for "they presumed freely to remark upon and censure "matters of political economy, with which their "agricultural survey had nothing to do. They "had derived all their ideas from the different "customs and circumstances of their own country, "and condemned whatever in this country was not "found by them to correspond. Hence they took "upon them to censure the system of the poor "laws, and of tithes, because neither of these was "established in Scotland, and most probably re-"tailed the ale-house conversations and senti-"ments of those with whom they associated in "their progress."

And Lord Carrington adverting to this printed report, said, "He found that report printed, and he "believed, the farmers in question had printed it in "Scotland, at the time he had the honor of pre-"siding at the Board of Agriculture: that he had "expressed his surprise at the circumstance, and "had taken means to prevent any paper to be

"printed by any of the subordinate agents of that "board, without the immediate direction and super- "intendence of the board *."

It is conceived, that on no subject have more erroneous notions been more industriously circulated, or more hastily believed, than on tithes, and on their influence upon agriculture; nor that any subject has possibly been more wilfully misrepresented, or more generally misunderstood. In various proposals which have been brought forward for the abolition or commutation of tithes, the title of the tithe proprietors has been generally admitted. But, as in some of them it has been either directly denied †, or very insufficiently re-

* Hence it is to be inferred, that from the date of the report alluded to, the Board of Agriculture is responsible for whatever may have appeared in the subsequent County Agricultural Reports; as the restrictions adopted in Lord Carrington's Presidency, have without doubt been strictly observed, and "no papers written by subordinate agents "have been since published, without the immediate direction "and superintendence of the board."

† "Tithes are property, real property, with all the marks "of property, some as strongly, and others more strongly "marked, than any other species of possession. That same "fiat of law, which makes land property, and gives it a pro- "prietor, makes the tithe of that land property too, and "gives it also a proprietor perfectly distinct from the pro- "prietor of the land. How anxious have been the laws to "secure, and to perpetuate that property? Beings of legal "creation have been resorted to; imaginary persons en- "dowed with immortality, by the curious expedient of link- "ing man to man in infinite succession, have by law been

garded, it is both prudential and requisite to remind such tithe-opponents, that the Clergy, and the lay-impropriators derivatively from them, hold their tithes by a more ancient and indefeasible title, than attaches perhaps to any other landed property in the kingdom! a title invariably recognised by the Laws and Constitution; sanctioned at the important era of our civil liberty by Magna Charta, which declares "the Church of England "to be free, and that she shall have all her rights "and liberties inviolable;" and most expressly confirmed at the establishment of our Ecclesiastical liberty, by the act 27th of Henry VIII., which declares "Tithes to be due unto God and Holy "Church."

"ordered to exist, and always to retain that existence; "human contrivance has exerted its little ingenuity against "the law of human mortality; and, as God had said that "every man must die, Law said yes, but his survivor must "live; and we ordain, that such a particular man with his "successors, shall consitute a single imperishable person, "that tithes may never want a man in whom to vest. By "such far-fetched contrivances, sole corporations were con-"stituted, that tithes, amidst the ravages of death, may "always have an owner. Thus tithes being annexed to "corporations, were gifted with immortality, as far as im-"mortality could be conferred by human ordinances. It is "a curious fact, that tithes were holden in perpetuity by "the Clergy, before land had acquired any descendible qua-"lities; that is, before fiefs became hereditary: which af-"fords a strong proof, that tithe, in the eye of the law, was "then an higher species of property than land." Commutation of Tithes in Ireland, before cited, p. 36.

And it is presumed, that in addition to what has been advanced in the three last Chapters, sufficient evidence will be produced to shew, that neither the rights of the tithe proprietors, nor their general conduct in the exercise of those rights, have been inimical to the progressive improvement of agriculture; that no immediate interest of the land-occupier, nor future interest of the land-proprietor, can prudentially sanction any proposal to alter the present property and form of tithes; and that an abolition or commutation of tithes is not defensible on the principles of necessity, justice, or policy.

It is too prevailing a habit with those, who are studious to alter and overturn ancient rights, customs and practices, and more especially in respect to tithes, to represent them in the most objectionable, odious and injurious colours, and to exaggerate all the evils, which either may or can possibly result from the utmost exercise of them. But it is unfair to estimate, and unjust to state, as facts, the unlimited extent and practical consequences of an evil, from the mere possibility of the extreme exertion of that evil. The legislative, and the executive powers of an established government, for instance, may be sometimes observed not strictly in agreement with each other: but it would surely be indecent and indefensible to declare the legislative department of such a government at all times either deficient or oppressive, because the executive department should sometimes happen to be improperly administered. For a legislative power may

be pure and wise in its enactments, though the executive power derived from it, may occasionally be exerted, injuriously, and even corruptly.

Accordingly, the necessity of a commutation of tithes is urgently pressed, on the ground of that influence which the payment of tithes is insisted to have upon our agricultural system: that is, the payment of tithes actually operates as a check, if not an absolute impediment, to all agricultural speculative improvements and exertions; and that, on account of its existence, our waste lands have remained unimproved, and our corn tillage has so greatly diminished, that we have not only lost our former valuable and lucrative corn-export trade, but have been compelled to import corn, at an immense annual expense, to satisfy our home consumption.

Such are the extreme evil consequences, which for many years have been attributed to the payment of tithes, either in kind or by composition, and which are usually urged in justification of the necessity of an abolition or commutation of tithes. But, without admitting the truth of them, or stopping to inquire whether such clamorous complaints have not proceeded from interested and invidious motives, and been insidiously propagated by the secret enemies of Church and State, it is asked, Has our cultivation absolutely decreased within the last century? or, on the contrary, has it not increased within that period, and particularly within the last fifty years, in an astonishing degree?

In various publications, England has been represented to contain about 47,000,000 acres: of which 39,000,000 are said to be under cultivation or some course of productiveness; and that 8,000,000 are waste and uncultivated. Hence it follows from these data, that, as in 1689, the uncultivated lands in England were estimated at 11,000,000 acres *, therefore 3,000,000 acres must have been brought into cultivation in the period of the late century; notwithstanding the repeated and pertinacious assertion of the payment of tithes, having operated as an absolute impediment to the improvement of our waste and uncultivated lands.

But the most vague and incorrect ideas prevail, in respect to the actual quantity of the lands in England, as well as of the nature and species of the waste lands, and the uses to which they are convertible: and of these latter, it is without consideration imagined, that the whole are capable of being brought under the plough, though it will appear a small proportion only of them (as already mentioned) are adapted to tillage.

The quantity and species of the lands in England, according to Dr. Beeke's corrected statement, and reduction from the Middlesex Agricultural Report †, are,

* Westmoreland Agricultural Report, 1805, preliminary observations, p. 281.

† Dr. Beeke on the Income Tax, 1800, p. 31. Perhaps, the following proportions, in integral numbers, are sufficiently exact for any purposes of political arithmetic:

	Acres.
Arable land	11,491,000
Hops, nurseries, &c.	101,000
Pastures, &c.	17,481,000
Hedge-rows, copse, &c.	1,640,000
Ways, waters, &c.	1,310,000
Commons and wastes	6,477,000
	38,500,000

And the several purposes, to which these commons and wastes are convertible, according to the proportions specified in The report of the House of Commons on the Waste Lands in 1795, and according to Dr. Beeke's reduced statement, are,

	Acres.
Lands incapable of all improvement	294,409
Do. fit to be planted	883,227
Do. fit for upland pasture	4,121,728
Do. fit for tillage	883,227
Do. fit for meadow and water-meadow	294,409
	6,477,000

In the increasing state of our population and consumption, the improvement of our waste lands may be esteemed an object of great consequence.

	Acres.
Lands in cultivation, i. e. arable	11,500,000
Meadow and pasture	17,500,000
Wastes and commons	6,500,000
Woods, hedges, &c.	1,500,000
Roads, waters, cities, &c.	1,500,000
Total	38,500,000

But, when it appears, that less than 900,000 acres only of those lands are capable of being added to our present tillage lands, that object loses much of its magnitude and importance; and surely cannot be pleaded in justification of the necessity of a general commutation of tithes; because the tithes of that comparatively small quantity of land, may be easily arranged, if necessary, under the requisite specific Bills of Enclosure. And, it is fair to infer, that, as the payment of tithes in kind did not operate against the improvement of 3,000,000 acres of waste lands within the last century, the operation of the payment of tithes in kind, will not impede the future improvement of any other waste lands. And, indeed, however the impolicy and oppression of the present system of tithes, are and have been so boldly insisted on, and though it be likewise asserted, that not only the 3,000,000 acres brought into cultivation, during the last century, but the remaining waste lands, would have been brought into cultivation also, or rendered more productive, had not the continuance of the present tithe system proved an insuperable impediment; yet, to use the words of a candid and spirited writer, tithes in kind are and will be "a bugbear to timorous improvers only *."

However, in proof of the impediment, which the payment of tithes in kind presents against the improvement of waste lands, a long and elaborate statement of the expense and profit on such an

* Mid-Lothian Agricultural Report, 1795, p. 200.

improvement, is given in a County Agricultural Report *.

By this statement it is made to appear, that in the course of improving ten acres of land, in a state of nature, and not worth more than 2s. 6d. per acre, the improver's nett profit, during the first five years, would only be £30. 19s. 2d., or £6. 3s. 10d. per annum; that is, nearly 12s. 5d. per acre: whilst the titheholder's receipt, to which he could not possibly have any claim in equity, and towards which he would not have contributed in any degree, is made to amount to £15. 7s. $2\frac{1}{2}$d.; that is, nearly half as much as the improver's nett profit, or £3. 1s. $5\frac{1}{4}$. by the year, or 6s. $1\frac{3}{4}$d. by the acre.

But this statement must be fallacious. First, because it proceeds upon a supposition, that the tithes would be required to be actually paid in kind, or compounded for at their utmost value; which (unless from want of foresight in the improver, or through some previous disagreement with the titheholder, who must not be supposed to be so blind to his own future interest, as to prevent such an improvement, by declining to accept a moderate composition for the tithes during a short period of years,) is at least doubtful and suspicious, if not incorrect. Secondly, because waste lands, so described, would be discharged for the first seven years by Act of Parliament, from

* York North-Riding Agricultural Report, 1800, p. 322, &c.

payment of any tithes, except such as had been heretofore paid. Thirdly, because the expenses on the debtor side are carried too high, and the value of the produce on the creditor side stated too low. Fourthly, because the turnip crop is stated as creating a loss of above an hundred per cent. And, fifthly, because the value of the two crops of oats is stated at only 20s. per quarter, whilst the seed oats are stated at 23s. per quarter, making an excess in the value of the two crops of £12. 3s. in favor of the improver, and raising his total nett profit in the first five years to £43. 2s. 2d.; and this profit accruing on the supposition of all the tithes having been either paid in kind, or compounded for at their very utmost value in money.

But in such a case, if the waste lands should not come within the purview of the discharging Act, it is not unreasonable to consider the tithe-holder's probable conduct as agreeable to the conduct of every sensible and prudent man, and of almost every titheholder, in a similar situation: And that is, that he would be disposed to waive his immediate interest, and with the prospect of future advantage, willingly and equitably accept a moderate composition, and probably not amounting to half the stated sum, supposed to be received by him during the first five years. And even admitting the payment of the whole stated sum of £15. 7s. 2½d. for the tithes during the first five years, the improver would in that time bring his waste land into cultivation, and raise its value from 2s. 6d. to perhaps 20s. per acre, and

receive a nett annual return of 12s. 5d. per acre, on his own statement of expense and profit*: plainly demonstrating, that stating the influence of tithes in kind in the very worst view, the payment of them in kind is not competent to prevent the improvement of waste lands †.

But, if the payment of tithes in kind, neither has nor will impede the improvement of waste lands, it is urged, that it has proved such an obstacle to the progressive improvement of the lands anciently in cultivation, and has occasioned so great a diminution in the tillage of corn, that instead of a former lucrative corn export trade, we have been

* But £43. 2s. 2d. (above stated, as the probable real value of the two oaten crops,) will create a nett profit of almost 17s. 3d. per acre, during the first five years; exclusive of any other profits, which might result from a close examination into the statements alluded to in the third and fourth objections.

† This Reporter (as already quoted) says "He has avoided "ideal calculations, as tending to mislead the judgment, "not establish facts. He therefore attempts no statements "of this kind." P. 77. How then came it to pass, that he favored the public with the preceding statement, which appears to be wholly ideal, and founded upon supposition, and not on established fact? And in what manner, does his statement of the ideal payment of tithes on the supposed improvement of waste lands, agree with his own admission, "that in the district under survey, the hurtful tendency "of tithes is in most cases softened, by their being let to "farmers for a rent in money, in many instances for a term "of years, though in others only from year to year?" P. 327.

compelled to import corn to an average amount, far exceeding our former export.

It has been admitted, that we have been obliged for many years to import corn to a large annual amount; but it must not be inferred from that circumstance, that either our corn tillage or the produce of our acres have decreased in any degree, especially from the payment of tithes in kind. The loss of our corn export, and the necessity of our corn import, have arisen from many other more efficient and correct causes, already detailed. And our corn import is so little applicable, either as a criterion to judge of a decreased tillage, or as a foundation to ascribe such supposed decrease to the operation of tithes in kind, that upon closer enquiry, it leads to the opposite conclusion. For, from the increase of our population within the last fifty years, to the amount of nearly 3,500,000, it is evident, from the usually estimated quantity of bread-corn for each individual, that we should have been obliged to have imported corn to a much larger amount yearly, if our corn tillage had not greatly increased, and to an extent far exceeding every conception of it.

Nor does it admit scarcely of a doubt, that this increased tillage of corn has most probably taken place on the waste lands brought into temporary cultivation *: for, if such be not the case, our corn

* A specious argument, much urged in favor of a commutation of tithes, is the bringing of our waste lands and commons into cultivation. But how seldom, it is asked, are

tillage must have decreased, from the very considerable extent of arable land in various parts of the kingdom, which of late years has been laid down in meadow and pasture. Indeed, to insist upon a decrease in our corn tillage, or upon a stagnation of our landed improvements, may be compared to perversely shutting our eyes against the meridian splendor of the sun, and then obstinately persisting, that that glorious luminary did not afford its accustomed brightness.

If then, from the comparative increase of our population, our corn tillage must have increased, and that increase, from the large additions made to meadow and pasture lands, must have taken place on the waste lands of late years brought into temporary cultivation, on what other grounds than false and insidious assertion, rests the complaint of the pernicious influence of tithes upon our agricultural system? which has been so unblushingly declared to operate, as a prohibition against the improvement of our waste lands, as an obstacle to the progressive improvement of the lands anciently

those waste lands and commons brought into cultivation with the view of continuing them, permanently, as arable lands? The fact is, that such lands are seldom cultivated, with any other view, than to convert them from their coarse and rough condition into a state of profitable pasture. And, if it should so happen, that during the course of cultivation for such purpose, the improver should reap little or no profit, for a year or two, through the contingent expenses, and through the payment of tithe in kind, yet is he not eventually compensated by reclaiming his land from an unprofitable to a profitable state?

in cultivation, and as productive of a diminution in the tillage of corn.

" The real impediment which the system of " tithes throws in the way of improved cultivation, " will be found upon a careful examination, to be " so trifling as not to deserve the name. We are " told that no man toils so chearfully for another " as for himself; that industry shrinks from its " labors, and slackens its exertions, when the mind " is conscious that another who contributes, neither " capital, workmanship nor skill, is to reap a part " of the profits, even though that part be so small " as one tenth. This argument appears plausible, " but is not founded upon facts; nor can it be re- " conciled to the common motives, and common " tenor of human conduct. Unpleasant it cer- " tainly is for one man to sow, and another to " reap; and the complicated nature of the tithe- " laws, in many parishes in the kingdom, renders " altercations between the Clergy and their pa- " rishioners very frequent. On this account, we " could wish that another mode were substituted " of providing for those who exercise the minis- " terial office; but surely not a single grain of " wheat the less is produced in the kingdom by " the operation of these laws. The farmer en- " deavours to make his land as productive as pos- " sible: nine parts out of ten are a sufficient sti- " mulus. If the objection be well founded, it " ought to be brought home to practice. Does " the cultivator bestow a load of manure upon an " acre less, on account of tithe? Does he neglect

"to give his land the necessary number of ploughings? Does he willingly fail in the sowing, the hoeing, the harvesting, and every common process, merely because a tenth part goes to the tithing man? The idea is absurd in the highest degree: yet something of this kind must be proved, before the argument will have the weight of a feather *."

"Were the possessions of the Clergy entirely separate from those of other people, their right to them would hardly be disputed. But as they are so connected and intermixed with the property of others, as to be a proportion of the produce of their labor and expense, objections are continually made to the validity of them. But these objections would probably vanish, were it but duly considered, that every estate, which hath been in any way acquired since the institution of tithes in this kingdom, was acquired chargeable with tithes: that is, in other words, the exclusive right of cultivating and reaping on any lands, was acquired subject to the condition of the payment of a tenth part of its produce to the Clergy. Justice, therefore, requires, that the condition should be performed.

"And, indeed, no man can reasonably complain of the condition as hard. For, when the estate was granted from the Crown, the grant was beneficial, though subject to this condition; and

* Gardner's Reflections upon the evil Effects of an Increasing Population, &c. &c., 1800, p. 74.

" as it was beneficial to the first grantee, it must " be so to his successors, who are in this respect " in the same circumstances with him. Besides, " it is evident, that his grant is beneficial, because, " though subject to the tithe, it sells for a con- " siderable price.

" When the estate was purchased, the smaller " sum was paid for it in consideration of its being " subject to tithe: and therefore, the purchaser " can have no right to complain, that he is not " exempted from this condition. It is true, estates " are not as beneficial to the possessor, as if there " were no tithes: so neither are farms as bene- " ficial to tenants as if there were no rents, and no " right to turn them out. But as this is no reason " why landlords should be deprived of their rents; " so neither is it a reason why the Clergy should " be deprived of their tithes*."

The hostiliy to tithes is so illiberal, (and on the part of the actual cultivators of the soil so unfounded and unwise,) that the taking of tithes in kind, or by compositions in proportion to their value, is termed oppressive: and the tithe-owners in general are not only called rapacious, but it has been made even a case of conscience, whether a clerical tithe-owner is justified, in advancing the composition for his tithes.

" But what is meant by oppression and rapacity? " are these terms applicable to a man, who de-

* Dr. Belward's Defence of the Right to Tithes on Principles of Equity, 1794, pp. 18, 19, 20.

"mands no more than his right? If so, when a "tradesman brings me a bill, and demands pay- "ment for the goods which I have purchased of "him, he is oppressive and rapacious: or when a "man demands of me the payment of any other "right, he is oppresssive and rapacious. This "would be considered as very unjustifiable, and "a very absurd abuse of the terms. They ge- "nerally convey the idea of a man's demanding "more than his right; or at least they imply, that "he takes advantage of the letter of the law, to "claim what he is not entitled to by its spirit "and intent. And it is clear, that this is the "sense in which they are applied to the Clergy. "To justify their use, then, either in propriety of "language, or integrity of speech, when a Clergy- "man claims his tithes, or their value, he must be "claiming what he has no right to: or be wresting "the letter of the law beside its spirit and intent. "That they have a just right to the tithe has, I "conceive, been proved above: and that they are "not going beyond the spirit and intent of the "law, is evident from a decision of the question "in the Courts, and from the nature of the law "itself. For to supppose that a law, which gives "them a tenth of the produce, did not intend them "to have the tenth, but some other portion, seems "absurd. But the Clergy are represented as ra- "pacious, not only when they attempt to take the "tithes in kind, or to raise the compositions to its "value, but even when they attempt to raise it "at all; and frequently without any rise. The

"compositions are in general very low. They "amount in few places to two-thirds of the value "of the tithes: in most perhaps not to half: and "in many places to a very small proportion in- "deed. But, if in any place the composition "be attempted to be raised, a general clamor is "immediately excited, and every mean is used, "which can be conceived likely to overthrow the "attempt. Who, then, are the oppressors? Who, "then, are rapacious? They, who wish to receive "what approximates to the value of their pro- "perty? or they, who wish to prevent them *?"

Surely, the Clergy have as just and well founded a right to raise the composition or rent for their tithes or tenth part, as the land-proprietors have to augment the rent of the other nine parts, of the produce of a farm. But it is admitted, that if "tenants are rack rented, they may find it difficult "to pay tithes. But whose fault is this? It is "the fault of both landlord and tenant, who have "been contracting about the land; just as if the "tenth of its produce were not due to the incum- "bent. But is such a contract to deprive a Clergy- "man of his rights? Both landlord and tenant, "when they agree upon their rent, know, that the "tithes are the property of the Clergy. It is, "therefore, their duty, so to make their agreement, "as that the tithe may be paid: and if they do "not, it is their own fault. To admit this, as an

* Dr. Belward's Defence, before cited, p. 37.

" excuse for not paying tithes, would be allowing " them to profit by their own wrong *."

And in respect to the right and propriety of the Clergy's increasing their compositions in proportion to agricultural improvements and produce †, it is a right no less protected by law, than defensible on the principle of equity. The property of the Clergy, in tithes, is so identified with the lands from which they arise, that no improvement can take place on the one, without the consequent improvement of the other. When such improvements have been made on their lands, the privilege of advancing their rents is not denied to the proprietors of the lands: why, then, should it be denied to the Clergy, the proprietors of the

* Dr. Belward's Defence, before cited, p. 30.

† When land-occupiers enter upon improvements, they are fully aware, that the increased produce, resulting from such improvements, is liable to pay tithes: they are therefore divested of every right to complain, when the condition, to which they were fully aware they were subjected, is required to be fulfilled. Though the composition for the tithes of the land so improved, might have been low previous to the improvement, they must have known that they were not entitled to claim the continuance of such an inferior composition: but knowing the possibility of an increase in that composition, to which the improvements would make them liable, they must be allowed to have known the risk, and to have willingly incurred it. On which grounds, it has been pertinently remarked, that the land-occupiers in such cases of improvement and increased produce, have no more right to complain at being required to pay an increased composition, than the man, who buying a ticket in the lottery, has a right to complain, upon its being drawn a blank.

tithes? Such eventual improvement in tithes is (as it were) corporally united to the tithes themselves; and the title of the Clergy to it, rests on the same basis with the tithes, and is founded upon the soundest wisdom, and the most consummate political prescience. And, indeed, the Clergy would not act justifiably towards themselves and families, and towards their successors, in neglecting such their right: they would be oppressed, if they were deprived of it; and a very great proportion of their body would be injured by their non-exercise of it.

The Clergy relinquish for the benefit of society the advantages that would result to them from the employment of their time, and the exertion of their personal labor and abilities, beyond their professional engagements. Hence they derive their right, that they should be maintained by the labor and expense of that community, for whose sake they make such relinquishment: And also, that the amount of the maintenance assigned to them should gradually be made to increase in proportion to increasing expenses of living, or in other words, in proportion to the decrease in the value of money. If this were ordained otherwise, the Clergy, under the improvements in arts, sciences, &c. and the more costly mode of living consequent upon the progress of refinement in civil society, would insensibly sink in their appropriate rank in life: and, perhaps, no class of people have already been more closely affected by the increased expenses of living, than at least two-thirds of the parochial Clergy.

The Clergy, therefore, have even upon principles of equity, a right to expect and demand from those, in whose service they are exclusively and (it is presumed) beneficially employing their time and abilities, such augmentation as shall from period to period be adequate to meet their variously increased expenditure: And in no other way are they enabled to make such necessary and indispensable augmentation, but by proportioning it (like other landed-proprietors whose incomes are derived from the produce of their lands) to the increased value of that property, from which their originally assigned maintenance or income is derived. The same quantity of agricultural produce, in kind or by composition in money, will not now meet the aggregate expenses of life, as heretofore; that is, the value, for instance, of any definite quantity of grain will not suffice for the present maintenance of a Clergyman and his family, as in times past: because, though it be true, that the price of grain has been increased, yet the increased price of the single article of grain has borne no proportion to the aggregate increased price of all other necessaries of life, and to the procurement of the comforts and conveniences of modern days.

Thus circumstanced, a Clergyman is reasonably bound to augment his income, and from the only source over which he has any right, in order to continue his appropriate appearance in the world, to maintain, educate, and establish his children in life, to honestly discharge the numerous expenses incurred by him in these laudable works, and, if

possible, to leave his family not only independent upon the benevolence of others, but, as far as he has been enabled, with a decent provision at his decease.

And, in regard to the interest of his successor, he is most conscientiously bound, as an usufructuary tenant only, to take care, that the rights and privileges with which he has been invested, should neither be impeached nor diminished during his occupancy or possession. And, perhaps, in no case whatever are the income and comfort of a new incumbent more sensibly and essentially injured, than by the neglect of a predecessor in advancing his compositions from time to time, even though his own private circumstances may not have required it: because, by such neglect, a great difficulty is thrown in the way of the succeeding incumbent in raising the compositions to an equitable standard. And so far are the cultivators of the soil from esteeming as a favor the length of time in which they have been compounding for their tithes at a comparatively low value, that they are more disposed to make the past indulgence of a late incumbent, a claim to similar forbearance by his successor, notwithstanding the private situation in life of such successor may be totally different from that of his predecessor, and he may have the maintenance, education, &c. &c. of a large family to provide for, out of the sole receipt of his parochial income.

If it should sometimes happen, that lands discharged from tithes may be better cultivated, and rendered more productive, than lands subject to

tithes, this neither proves nor affords ground for supposing that all lands subject to tithes are worse cultivated, or are more unproductive, than all tithe-free lands. The question is, on comparing the quantity of land subject to tithes with that discharged from tithes, do instances of superior cultivation and productiveness abound more frequently on tithe-free, than on titheable lands*? If they do not, and surely no unprejudiced man will seriously assert the contrary, the objection to tithes, as an obstacle to improved cultivation, drops to the ground.

In illustration of this point, may be quoted from a county agricultural Report, a statement of an enclosure of 10,000 acres of common field land, of which one half was converted to arable: the improved rent on a lease for fourteen years was £7,725: the tithe was about £1,500 a year, or 3s. per acre: and the nett profit was £4,744, or nearly 9s. 6d. per acre, after payment of rent, tithe, labor, interest on capital, seeds, wear and tear, rates, and contingences. This statement surely affords strong and conclusive evidence, that the payment of tithes could not have proved an impediment to this extensive enclosure, or have had an injurious effect upon it.

* "There are several tithe-free farms, and even tithe-free "parishes, within the district. In these, a theorist of a "certain cast, would expect to find superior cultivation; "but in this he would be completely disappointed." North-Wales Agricultural Report, 1810, p. 96.

And from the same Report, it may be stated, that in six of the ten parishes of Snettisham, Ringstead, Heacham, Darsingham, Sharnborne, Fring, Sedgford, Thornham, Tichwell, and Hunston, enclosed by act of parliament, and which six parishes were continued to be subject to tithes, the corn produce is said to have been doubled. It is asked, then, has a larger quantity of corn, in proportion to the extent of the arable land in each parish, been grown in the four parishes in which the tithes were commuted, than in the six parishes remaining subject to tithes *?

A comparison between these parishes, and between others in similar situations, will afford very probable grounds for forming a judgment on the influence of tithes on agricultural improvements. And the presumed result of the comparison would be, that equal improvements will in general be found to have taken place, in parishes remaining subject to tithes, and in those exonerated from them. The payment of tithes, as usually conducted by the tithe proprietors, neither has been, generally speaking, nor in all probability ever can or will be an actual obstacle to improvements in agriculture. But the principal obstacle in such pursuits, on mature investigation, must be admitted to be founded in the want of capital; as a farmer, if he has money at command, will expend it in the increasing of his produce. "I cannot believe,

* Norfolk Agricultural Report, by A. Young, Esq. 1804, p. 184.

" that the tithe was ever considered by the farmers " as an objection to improvement. I do not be- " lieve it was ever thought of: ten to one are too " great odds *."

The following communication, by a most liberally-minded, respectable, and intelligent land-owner and agriculturist, on the present state of agriculture in this kingdom, and on the supposed influence of tithes upon agriculture in general, and upon the improvement of wastes and commons, together with other topics connected with these subjects, appears worthy of being made public.

November 20th, 1813.

" I reply to your letter without delay, being " persuaded, that from a long life passed in agri- " cultural employments, with much experience " and observation, I am qualified to answer your " inquiries with little previous thought or recollec- " tion: my mind has been made up many years " ago in regard to most of them.

" That the agriculture of this kingdom is on " the decline, or, as others attempt to support such " a position, by asserting, that the spirit for " cultivation is relaxing. I positively deny; be- " cause it is impossible, that agriculture should be " on the decline, when there exists an increas- " ing demand for all agricultural produce, through " the rapid increase of the national population:

* Kent Agricultural Report, 1796, p. 36, Note by W. B. Esq.

" And I as positively deny, that the spirit for cul-
" tivation is relaxing, when an increasing exten-
" sion of cultivation is going on in every part of
" the kingdom, without the aid of the Legislature,
" as well as with it, as is most incontrovertibly
" proved by the numerous bills for enclosure, &c.
" passed in every session of parliament. Conse-
" quently, the influence of tithes has not hitherto
" prevented the speculation of such improvements,
" nor impeded the extension of cultivation by the
" non-execution of them.

"And the influence of tithes has had no more con-
" nection with the lately fallen and present re-
" duced prices of grain: which are to be attri-
" buted, in a certain degree, to the large impor-
" tation of grain into the kingdom, on the pre-
" sumption of a new Corn-import Bill; and,
" more particularly, to successive, abundant, and
" well-harvested crops of grain, on a greatly en-
" larged spread of it. I allow, that it is possible,
" that, on account of the reduced prices of
" grain, some instances of a diminished or con-
" tracted cultivation, may be observed. But,
" I believe, that they are very few in number,
" and will be found to have proceeded from nar-
" row-minded, sordid, and avaricious agriculturists,
" who, after having enjoyed for a series of years
" profits immensely beyond their most sanguine
" expectations, repine at the present reduction or
" non-continuance of them; and who, therefore,
" in the true spirit of the dog in the manger, be-
" cause they cannot reap such large profits as

" heretofore, will not attempt to realize those " smaller ones, which still might accrue to them: " And this self-denial (may I add, folly?) is justi- " fied under the plea, that the price of the pro- " ducts of cultivation will not repay the expenses " of raising them. But, what effect can these " comparatively solitary and insignificant (I could " almost say, dishonest) instances of a reduced or " contracted tillage, have upon the general cul- " tivation of the kingdom?

" I experimentally know, that profits yet remain " from tillage sufficient to repay the expenses of " even extra cultivation, and to remunerate the " cultivator for the use of his capital, and for his " skill and attention. Where such returns are " not realized by farmers, the deficiency does not " proceed from the reduced prices of the products " of their farms, but from many other causes more " active and more efficient, though possibly not " justly attended to. I mean want of capital, " skill, and steady attention in farmers, with more " sobriety of life and manners, and with less am- " bition of appearing in themselves and families " above their sphere, or of indulging in a round of " social intercourse, wholly unfitting the station of " renting land-occupiers, who are the great body " of cultivators. These, and many other similar " causes which I could mention, are the actual " sources of the distress, which such farmers may " perhaps feel at this time. But this pressure can " have no connection with rents, tithes, poors rates, " or expenses; because all these ever did and ever

"s will bear a relative proportion to the price of the
" products of land; and the price of those pro-
" ducts will always be in proportion to the demand
" for them.

" I am much annoyed and disgusted with the
" nonsense, to which I am obliged, from good
" manners, to pay a kind of attention, on the evil
" effects of tithes upon agriculture; because in
" my serious opinion, they have as much influence
" in impeding the general cultivation and improve-
" ment of the soil, as they have in preventing the
" fructifying beams of the sun from shining on
" that soil. Obstinate and prejudiced men, I al-
" low, may occasionally give up their common or
" extra cultivation, or an improvement, because
" they cannot proceed in them upon their own
" terms: for such men are to be found in all ranks
" of life, whether land-proprietors, tithe-proprie-
" tors, or land-occupiers, who, like pigs, will nei-
" ther lead nor drive. But a land-proprietor,
" tithe-proprietor, or land-occupier, who rejects
" his own present or future interest, to effect the
" injury of another, or more properly to prevent
" his advantage and emolument, renders himself
" too justly liable to the imputation of folly or
" knavery, or of being a compound of both.

" My landed property, which is not very in-
" considerable, (and of which I have never occu-
" pied a single acre,) does not entitle me to be
" classed with the great landholders; but the ex-
" tensive farm which I have occupied through life,
" ranks me at least with the great farmers. The

" income of my paternal estate has never been
" employed in promoting the interests and re-
" turns of my farm; but has been religiously
" suffered to accumulate as a kind of reversionary
" legacy to my children at my decease. But from
" the cultivation and profits of my farm alone, I
" am grown wealthy, notwithstanding I have
" brought up a numerous family; and having
" given them good and sound educations, (not the
" fallacious and almost useless accomplishments of
" modern times, as they are called,) have long
" enjoyed the heartfelt satisfaction of seeing them
" respectably established in life, and some of them
" in situations far exceeding my expectations. I
" have been able to effect all these (as I trust) laud-
" able objects, by not apeing the expenditures and
" manners of those too far above me. I have,
" however, lived hospitably and generously, and
" associated with some of the best families in my
" neighbourhood, without being unmindful of the
" comparative comforts of my labourers, or the
" poor of my parish.

" I do not mention these particulars to blazon
" my own character, conduct, or success in life;
" but merely to state, that I have accomplished all
" these ends, by the sole cultivation of my large
" farm: which has always been rather high rented,
" and the tithes of which being entirely impro-
" priated, have been valued equally high at nearly
" their utmost value. But I have never grudged
" to pay the valuation, as I have always found,
" that the produce of my nine parts has fully re-

" paid the expense of common cultivation; and
" that their increased produce has likewise repaid
" all extra expense and labor. I doubt not, that
" this is and will always be the case with all far-
" mers, except in instances and attempts of over
" sanguine men, in undertaking speculative im-
" provements with the warm hope of finding gold,
" when, on prudent, cool reflection, they would
" find they had not the forbidding prospect of dis-
" covering even lead.

" From the reduced prices of agricultural pro-
" duce, I admit, that the same quantity of money
" does not now come into my possession as here-
" tofore; but when I consider the reduction also
" of labourers' wages, and of poors rates, and the
" great extra profit enjoyed by me for many years
" last past, I do not think myself entitled to com-
" plain, or justified in complaining. And even
" those farmers, who may be embarrassed by the
" reduction of prices, are, with few exceptions, to
" blame themselves only; that is, for their impro-
" vident neglect to guard against the consequences
" of an inevitable reduction of prices, by prudent-
" ly saving from year to year a considerable pro-
" portion of those extra and uncalculated profits,
" which the past high prices put into their posses-
" sion. In proportion to the size of their farms,
" land-occupiers in general might have been pro-
" portionably wealthy with myself, had they been
" equally provident. But, no; the largest part,
" and in frequent instances the whole probably of
" those unforeseen profits were idly scattered,

" making true the old saying, Lightly come, lightly
" go: On the contrary, these profits, prudently
" husbanded, would have made them as little sen-
" sible of the great alteration in prices as myself.
" But, having been once enabled to appear so
" much above their rank in life, they cannot now
" be contented, when brought back again to their
" proper situation. It is a maxim with me, and I
" think, a very well founded one, that a sober and
" diligent farmer, who has a capital equal to his
" undertaking, can never fail, under Providence,
" of success ultimately in his occupation.

" I should have said, that a part of my paternal
" estate consists of a church leasehold, and has
" been in my family for near two centuries. I
" reckon it not inferior to a freehold, if prudently
" managed. The value or purchase of it is little
" more than half the value or purchase of freehold;
" and the progressive accumulating or compound
" interest of the difference between a church lease-
" hold and freehold, in value or purchase, whether
" one half or even two-fifths, I calculate is more
" than sufficient to pay the septennial renewals.
" But I have followed the plan of my ancestors;
" and from the rents of my church-leasehold, have
" annually set aside a sum equal to the seventh
" part of my last septennial fine; which annually
" appropriated sums, with their compound interest,
" I have generally found equal to my septennial
" fine; and sometimes they have left a balance in
" my favor, when I have had extra opportunities
" of improving the money so appropriated.

"I cannot help remarking, that the conversa-
" tion and conduct of many persons in regard to
" tithes, (persons of large landed property, and of
" liberal educations, and who would be greatly
" offended at being called, dishonest,) are foolish
" and highly indefensible; they are even wicked,
" if not sinful. For, though tithes are not claimed
" in this kingdom as due of divine right, no one
" who will turn to his Bible, can remain uncon-
" vinced of their being of divine original. And,
" therefore, he who finds fault with the payment
" of them in this kingdom, does most immediately
" arraign the goodness, wisdom, and justice of
" God, in having first enjoined them amongst the
" Jews; and from whom the payment of the like-
" wise has been adopted into the church of Christ.

" Upon principle and conviction, I have always
" been a steady friend to Church and State, and a
" strenuous supporter of the rights of the Clergy,
" and of their Establishment, and have been as
" decided an enemy to innovations, civil and eccle-
" siastical. But yet I could wish, that the Clergy-
" man of my parish was to receive my tithes, in-
" stead of the Impropriator, not with a view to my
" making a better bargain with the former than
" the latter, or from any dissatisfaction at his con-
" duct. I always have, and shall pay them to him
" most readily: they belong to him; and he has
" good right in law and equity to make the most
" of them, nor do I blame him for it; nor does
" the payment of them impede or injure the culti-
" vation of my farm. But I should pay them

" more chearfully, and with additional satisfaction,
" if I was to account for them to the Clergyman of
" the parish: because they were originally given
" to him, though subsequently granted away to
" another use; and, afterwards at the Reforma-
" tion, injudiciously bestowed on those who had
" no shadow of claim to them, beyond the will of
" an arbitrary and tyrannical Monarch."

From a publication* most happily calculated to correct the misrepresentations continually obtruded on the public, respecting many of our national concerns, the following case may be adduced, in answer to the objection against tithes, as unfriendly to improvement, and as a check upon industry.

" A man occupies ten acres of land, that by ne-
" glect of culture are become poor and foul, and
" the produce of wheat from them is not more than
" ten quarters; that is, one quarter per acre, sold
" at 40s. the quarter, or £10 the load; this yields
" to the occupier £18, and to the tithe-owner £2
" exclusive of the straw. By an extraordinary
" expenditure of £100 upon these ten acres, in ad-
" dition to the usual expense of tillage, they are so
" enriched and improved as to yield three quarters
" per acre; this, at the same price, gives the
" tithe-owner £6, and to the occupier £56, or £36
" per cent. for his money, exclusive of the increase
" of the straw, and this the very year it was ex-
" pended; and the advantages will be felt for
" several years following, with but small additional

* Anti-Jacobin Review, vol. ii. p. 93.

"expense, the increase of the straw duly improved. "I have estimated wheat at a low price, and an "additional £100 upon ten acres already in tillage, "is not a trivial sum; nor have I estimated a very "extraordinary crop as the return: and I am well "assured, that it cannot be denied, upon any prin-"ciple of fair argument, that if nine-tenths do not "pay the occupier for improving land already in "tillage, (for I am not speaking of land to be "cleared, drained, grubbed, &c.) the tithe-owner, "who prevents by his claim the attempt to im-"prove, is not the enemy, but the friend, of the "proprietor or occupier of such land. In the clear-"ing or draining of rough or wet lands, very low "terms for a certain period may be absolutely re-"quisite; yet, in due time, those also ought to "yield reasonable profit to the tithe-owner *."

In the County Agricultural Reports, a chapter is set apart for the consideration of expense and profit. But it is well observed in one of them, that "there is very great difficulty in obtaining the "truth on this head: farmers, like other people in "business, are shy in laying open their affairs to "any one, and now more so than ever. In the "first place, for fear their landlords should get "hold of it, and thus be the means of an advance "in their rent the first opportunity; and in the "second place, for fear the Commissioners of the

* Various cases of a similar nature, might have been stated; but it is conceived, that one well put, like that which has been quoted, is a sufficient elucidation of, and answer to the objection.

"Income Tax should be made acquainted with "it, and raise the duty on them. Farmers, in "general, keep no books in a minute or regular "manner; it is not therefore in their power, to "give particulars of expense and profit correctly, "only in a rough way *."

And in another Report, "few farmers keep accu-"rate accounts; and such, the surveyor has not "been able to meet with, as might shew the pre-"cise expenses and profits of a well-cultivated "farm in his district: Ideal calculations he has "avoided, as tending to mislead the judgment, "not establish facts. He therefore, attempts no "statement of this kind †."

Accordingly, this subject has been either unnoticed by the writers in general of the Reports, or has been considered by them very superficially. In one or two instances, it has been discussed more fully; but (though probably without any intention to deceive) the statements are so doubtful, if not fallacious, as to deserve little more credit, than a similar statement of expense and profit, which appeared in a periodical publication in 1807 ‡. The farmer's profit was there stated, on a course of eleven years' cultivation, at two crops each of wheat, barley and beans, and one crop each of oats, tares, turnips, clover and cabbages, to be only 10s. 6¼d. per acre; and on a course of four years

* Warwick Agricultural Report, 1813, p. 43.

† York North-Riding Agricultural Report, 1800, p. 77.

‡ Annals of Agriculture, Vol. xlv. p. 193.

cultivation, at one crop each of wheat, barley, turnips and clover, still lower, at only 8s. 3d. per acre: and the average of these two profits 9s. 4½d. per acre, subject to the charge of poors rates.

This small profit was made to appear, by stating the prices of the leading articles of produce, namely, wheat at 52s. barley at 25s. oats at 22s. and beans at 25s. per quarter; whilst, on the contrary, the actual prices inserted in the very same publication, from the London Gazette for twelve years ending with 1806, shewed the average prices to have been, respectively, about 75s. 38s. 8d. 25s. 8d. and 43s. 4d. per quarter; at which prices, the farmer's average profit on the two courses of cultivation, and admitting all other items of expense and profit to be correct, would have been very largely augmented *.

It was also stated by a witness on a late parliamentary inquiry, that on a farm of sixty acres of arable land worth £2 per acre, in a four years' course commencing with a fallow, estimating the produce per acre at thirty bushels of wheat at 80s. per quarter, at forty-eight bushels of oats at 28s. per quarter, and clover at £4 per acre, the expenses exceeded the produce of the four years by £14 10s.†. From whatever motives such statements proceed, they are idle and cannot be correct: because in

* What reliance can be placed on evidence, given even before the two Houses of Parliament, by a person, capable of such disingenuous conduct?

† House of Commons Corn-Committee Report, 1814, p. 86.

such an extreme case, the operations of agriculture must have wholly ceased both at that period, and in the present one, when the prices of corn have been so greatly reduced. Without entering into a strict examination of the several items of stated expenses and outgoings, it will be sufficient to remark as a specimen of their general correctness, that the charge for tithes is set down precisely at one tenth of the gross produce, as is usual in all similar manufactured guesses or estimates, though tithes are commonly commuted for at various prices, and scarcely ever at two-thirds of their real value. Perhaps the witness thought it would appear more decorous in a parliamentary inquiry, to set down not the probable commutation-price of the tithes, but, like his other charges, in integral sums of £20, 30 or 40; and to make the charge for tithes look respectable, to set it down at the real value, and which his conscience might by chance have suggested to him, was due and ought to be paid, to the tithe-proprietor.

Such estimates or calculations may be well called ideal, as they are at variance with the progressively improved circumstances of that part of the population engaged in agricultural pursuits, during the last fifty years. Within this period, it cannot have escaped the recollection of every observing and reflecting man, that the industrious and frugal day-labourers have risen to be little farmers; that the little farmers have been enabled to occupy larger farms; that the occupiers of the larger farms have entered on the cultivation of the more extensive

ones; that these extensive occupiers have proceeded to the occupation of still more extended quantities of land, and have become most wealthy yeomen, as well as land proprietors; and that many of these, or their immediate descendents have risen to be possessors of large landed property, and to rank among the leading men in their respective counties.

Nor is it less idle to insist upon the largely increased expenses attending the cultivation of arable land, without a candid reference to the largely increased quantity and price of its produce. They must bear a relative proportion to each other: and the actual debits and credits of agricultural accounts, with a few temporary exceptions, would bear out a comparison, and shew the falsity of the asserted small profit, no profit, or even loss, ensuing on the cultivation of arable land.

"Where tithes are gathered in this county," says a reporter, "they are rated to the poor gene-
"rally at one-fifth of what the farmer is rated. If
"those who maintain that a Clergyman should
"pay one-fifth, and the farmer four-fifths of the
"expense of the poor, act on this datum, they tell
"us that the farmer's profit is four times that of
"the Clergyman's. Mr. Young has told the
"world, that the farmer's profit is not more than
"ten per cent on his capital employed, on the
"average of situations: what do they say it is, who
"assess him four times the amount of the Clergy-
"man *."

* Cambridge Agricultural Report, 1811, p. 35.

The opponents of the existing tithe system, almost without an exception, argue upon unfounded premises, in setting forth the hardship, &c. &c. of tithes; namely, that tithes are, generally, collected in kind, or compounded for according to the crops on the ground. But this is not true; for tithes are almost universally let for longer or shorter terms of years; and notwithstanding it has been erroneously supposed, that "tithes are paid in kind throughout "one-half of the parishes *," yet it would turn out upon investigation, that they are not possibly collected in more than a tenth part of the kingdom, if in so large a proportion. The writer of these pages has been connected with tithes for upwards of thirty years; and during that period has constantly had his attention fixed upon that subject, both as a public and as an individual concern. He can confidently affirm, that scarcely an instance has come to his knowlege of a Clergyman's taking his tithes in kind, or letting them in a mass, except compelled by the unjustifiable conduct of the land occupiers; and that, though he was formerly situated in a neighbourhood abounding in impropriations, he can as confidently affirm, that the impropriators, except in a few instances, let their tithes to

* The Case of Tithes truly stated, 1795; which consists of little more than a collection of extracts, particularly from the Annals of Agriculture, Tithes Indefensible, and the first Sketches of the County Agricultural Reports; and which, notwithstanding its apparent candor and moderation, might have been more appropriately entitled, The Case of Tithes untruly stated.

the growers of them. And he scruples not to declare his opinion, that if due inquiry were made throughout the kingdom, the Clergy and impropriators would appear, to have conducted themselves in a similar manner. What becomes, then, of the catalogue of grievances, both public and private, said to be connected with the present mode of paying tithes?

"An inquiry has been made in the Diocese of "London, by several very respectable Clergymen "situated in different parts of the Diocese, into "the number of the parishes in which the tithes "are taken in kind by the Clergy; and the result "is, that, taking together the whole of the Diocese, "consisting of 568 parishes, it does not appear, "that there are more than fifteen, in which the "Clergy take their tithes in kind; that is, about "one in thirty-eight: every argument, therefore, "hence deducible against the necessity of a com-"mutation of clerical tithes, is proportionably "strengthened and confirmed." And the same remark will apply to tithes in the possession of the lay-impropriators from what immediately follows the preceding quotation, that "most of the tithes "in this diocese (London,) that are in the hands of "laymen, are taken in kind; and it is a remark "made by a sensible Clergyman in Essex, from "his own knowlege and observation, that those "parishes, where tithes are taken in kind, are in "the highest degree of cultivation; and that in "the district where he resides, more pasture land

" has been broken up and converted into tillage in " nine parishes, where the great tithes are in lay " hands, and taken in kind, than in any other nine " parishes, where the great tithes are the property " of Clergymen, and compounded for *."

" In the hands of the laity, tithes in kind are " paid without grumbling; but whenever a Parson " takes the full measure to which he is entitled, both " the land-owner and the farmer conspire against " him. The reason appears to be, that the Clergy " rarely get their dues †; and therefore, whenever " any one looks sharp after his interest, his conduct " excites clamor and ill-blood. There are in- " stances where the obstinacy of the farmer prompts " him to forego his own interest in nine parts of " the produce of his farm, to defeat the Parson of " his in the tenth; but this is one of those evils " which will correct itself. The farmer who pur- " sues such a line of conduct for any length of time, " must be inevitably ruined; when he will make " room for one who will adopt a different line of " conduct, and thus profit by the error of his pre- " decessor ‡."

* Howlett's Influence of Tithes upon Agriculture, 1801, p. 118.

† " While the rough hardy collector insists for his full " tenth, the quiet good-natured Clergyman, who studies, if " it be possible, to live in peace with all men, is imposed upon " in many respects." York West-Riding Agricultural Report, 1799, p. 254.

‡ A Letter to Lord Somerville, late President of the Board of Agriculture, 1800, p. 108.

"As to tithes, it is at least a question, whether "they are not more imaginary, than real obsta- "cles to improvements. If in some parishes, "where tithes have been constantly gathered, im- "provements have been progressively carried very "high; if in others, though tithe-free, improve- "ments have comparatively stood still; it at least "shews, that tithes are not the general, though "they may sometimes be, the partial obstacles to "improvement *."

That "Tithes have operated as a check to agri- "cultural improvements to such an extent as some "writers have endeavoured to carry it, cannot be "conceded. In this county, a solitary instance "may possibly be produced, where a small quan- "tity of land has been suffered to lie in a neglected "state, to defeat the demands of the tithe-owner; "but this is a trifling loss in the superficies of a "county, and cannot have a sensible influence on "the total produce. It is not indeed at all pro- "bable, that many farmers will voluntarily submit "to the loss of nine parts, as this is a proceeding "altogether inconsistent with the views of the "tenantry; and under such circumstances, how "is the rent to be made up? It is possible also, "that a peculiarly exorbitant demand for compo- "sition, or an oppressive mode of collecting the "corn-tithe in some districts, may have the tem- "porary effect of converting tillage to pasture; "but this cannot last long. The grazier must

* Suffolk Agricultural Report, 1797, p. 289, note.

" have straw for fodder, and corn for his family;
" the former he will purchase with difficulty, and
" the latter with unwillingness. The crops which
" will make the best return from the market, and
" are also most congenial to the soil, will generally
" be preferred *."

" It is undeniable, that, as matters are at pre-
" sent, agriculture is daily improving; and there-
" fore, though it must be confessed a desirable
" object to exonerate lands from tithes, yet it may
" be doubted, whether they are so great an ob-
" stacle to improvements, as sometimes repre-
" sented. If a farmer occupies lands of two de-
" scriptions, one portion titheable, the other ex-
" empt from tithes, it is natural to suppose he
" will be more anxious to manure that which will
" return him the entire profits, than that from
" which he is to receive a part only of the produce.
" He pays a specific sum for his farm; but from what
" part or parcel of land, the money accrues, is in-
" different. His attention will be directed to that
" which, in the least given compass, and with the
" least expense, will render the largest profits.
" But cases of this sort, comparatively rare and
" few in number, are not proper instances to
" argue upon.

" As to the objection of carrying the profits
" (when tithes are taken in kind) to other lands, it
" is obviated, if the manure so made is properly
" applied. The profits, arising in a parish, are

* Gloucester Agricultural Report, 1807, p. 60.

"expended in the parish; and whether they fer-
"tilize private property, or parochial glebe, the
"general produce is equally improved, and the
"public equally benefited *."

"It is surprising say some county reporters, that
"a grievance of such magnitude, (the payment of
"tithes in kind,) should have so long evaded the
"revision and regulation of the legislature, and
"that it should be always so strenuously opposed
"by the Clergy, there being no wish to take any
"thing from them, but to render a fair equivalent
"for what is their due, and which there would be
"little difficulty in doing, notwithstanding the
"many objections that have been invented to
"perplex this most interesting question †." But the charge of invention may with greater propriety and justice be retorted upon those, who invent insidious and deceptive statements of the effects of tithes, that they may have some apparent grounds of pretence at least, in calling tithes "the bane of agriculture:" though from their own account of the rents of lands in Northumberland subject to tithes, and of the mode in which tithes are accounted for in three out of four methods specified by them, it is fairly to be inferred, that the evil effects of tithes on agriculture in that county, exist in theory alone; and that perhaps, in a few instances only, the collection of tithes in kind may have drawn a greater degree of atten-

* Oxford Agricultural Report, 1809, p. 48.

† Northumberland Agricultural Report, 1805, p. 179, 30, 31.

tion in the tithe-holder, and thereby have given a shade of complaint against the influence of tithes, in all circumstances and situations. But,

"If tithes are a check to agriculture of any kind, "it must be to that which is most expensive, and "whose tithes are highest. Both these particu- "culars take place in the culture of hops. Their "tithe is vastly higher than that of corn, and the "expense of raising them prodigiously greater; "and, what is fuller to our point, this expense has "more rapidly advanced than that of any other; "it having experienced not only the common in- "creased price of labor, of manure, and of parish "rates, (to which all kinds of agriculture are sub- "ject,) but a greater increase in the price of "poles, and in additional duty upon the article "itself*. Here, therefore, or no where, must the "pernicious influence of tithes be manifest. But "how the fact has been, we are not left to general "observation, or probable conjecture, but we see "it upon record for almost ninety years in con- "tinued uninterrupted succession, and it is as "follows. The annual average number of bags "of hops, grown in this kingdom during the "21 years ending with 1731, was.....36,527
"Do.....1752.....50,752
"Do.....1773.....65,799
"Do.....1794.....77,195

* In Worcestershire the plantations are managed at £15 per acre; in Kent and Farnham from £20 to £25, and some years to £30 per acre. Randall's State of the Hop Plantations, 1800.

"We here behold a continual and amazing ad-
" vance in our produce, and of course, in our cul-
" ture of hops. Where then has been the per-
" nicious influence of tithes so heavily complained
" of? How have they checked and retarded the
" progress or improvement of even this most ex-
" pensive species of agriculture? And, if not of
" this, of what kind can they have done so? The
" expense in the cultivation of grain, whether of
" wheat, barley, peas, beans, or oats, is not a fifth
" part so great; that of grass and herbage, scarcely
" a twentieth; and the claims of the tithe-man,
" meantime, are comparatively trifling. If the
" highest tithes have not checked that kind of
" agriculture, the expense of which is greatest, is
" there common sense in the supposition, that they
" have produced that effect, where both tithe and
" expense are so much less *?"

It is, indeed, too ridiculous and nugatory to in-

* Howlett's Influence of Tithes upon Agriculture, 1801, p. 30. This increased and increasing state of the hop plantations has progressively taken place, notwithstanding the payment of tithe-hops in kind, has been so positively insisted on, as the express cause of grubbing up many thousand acres of hop grounds. And that, since the twenty-one years' average ending 1794, the hop plantations have probably been much extended, appears from the amount of the duty paid on hops in the year 1815; which has been stated in the public papers, at £215,441. 8s. 4d. This sum, at 3d. per pound, or 35s. per bag of one hundred and forty pounds weight, will give 123,109 bags, as the growth of that year, which, it is conceived, was about an average one.

sist, either upon the oppression of tithes on individuals, or upon the baneful influence of them on agricultural pursuits, or upon the evil consequences of them to the nation at large, when we cannot have avoided seeing our farmers, under the increase of rent and outgoings, every where rising into opulence; extensive and expensive improvements in agriculture taking place in every part of the kingdom; and the produce of our lands continually increasing in quantity and quality.

"During the present reign, at least 3,500,000 "acres, of waste, or common land, have been en- "closed, and brought into tilth. Of those local "improvements, there were 1,591 Acts of Parlia- "ment passed, for dividing common lands, for "draining wet lands, and for enclosing open lands: "those facts alone demonstrate, that the United "Kingdom has been much improved in its sur- "face, during the last thirty years; and, conse- "quently, is much more valuable as a collection "of farms. A Board of Agriculture was mean- "time established; for ascertaining the state of "husbandry in every district; for energizing the "husbandmen; for instructing all those who are "connected with lands: their reports evince a "very improving agriculture every where within "the kingdom; and a very active spirit of im- "provement, upon better principles, appears to "have gone forth, in all parts of our country: "hence, by a necessary progress, the body of the "people, either as land-owners, or occupiers, be-

" came more skilful, more enterprising, and more
" opulent: of consequence there was more land
" cultivated, with more knowlege, and more ca-
" pital; so that from more cultivation, more skill
" and more capital, thus employed in agriculture,
" there were more of the products of land brought,
" every season, to market, from an improved hus-
" bandry, at home. But, since the demands of
" war have ceased, the prices of those products
" have fallen: this is a natural consequence; as
" price is always settled by the vibrations of supply,
" and demand; the supply being greater, and the
" demand less, the prices must necessarily be less.
" Outcries have arisen in the country, as if our
" whole agriculture were ruined. Those outcries
" merely arise, from the mutual complaints of
" landlord and tenant; of those landlords and te-
" nants, who entered into improvident contracts
" during the war: there is neither outcry, nor
" complaint in those districts, where the landlords
" did not raise their rents, during the war, when
" it was idly supposed that rents would rise, with-
" out limitation. It does not, however, belong to
" my inquiry, to enter within the verge of those
" outcries and complaints. I have demonstrated
" what I undertook to prove, that the United
" Kingdom is infinitely better improved than it
" ever was before: and of consequence would sell
" for more: that the lands are every where culti-
" vated with more skill and capital, with more en-
" terprise and labor: and of consequence must
" produce much more than they ever did before;

" it is thus apparent, that our agriculture has pros-
" pered greatly during those long wars *."

In support also of the wonderful improvement of this kingdom in all respects, it may be stated, that, from the controversy to which the discussion of the Bullion Question in 1811 gave rise, much important information on various subjects of political finance, economy, &c., was elicited by the disquisitions of the several disputants. Amongst others, the then hitherto unknown advantage of an inconvertible circulating medium appeared to be firmly established; and that this inconvertible circulating medium, resulting from the Bank restriction act, (originally regarded with the utmost terror and dismay, and as he unavoidable fore-runner of national bankruptcy,) had been the great mean of enabling this country to carry on, year after year, a war of immense expense, such as had never been before experienced in the annals of the world. And it was observed a few years after the operation of the Bank Restriction Act, that " 'since
" 'metallic money had ceased to be common, we
" 'have passed triumphantly through difficulties
" 'and dangers of unprecedented magnitude; and
" 'the increase in commerce, manufactures, agri-
" 'culture, with all their relative addenda of ship-
" 'ping, machinery, canals, roads, bridges, &c.,
" 'is equally beyond all precedent. From which
" 'we may infer confidently, that paper credit has
" 'not produced the ruinous effects, which theo-

* Chalmers's State of the United Kingdom at the Peace of Paris, November 20, 1815.

" 'rists prognosticated.'" (Guineas an unnecessary incumbrance, &c., p. 103.) "If this could with "truth be asserted in 1802, how much more "striking must the same truth be esteemed in "1813*?"

But, though thus upon inquiry into the causes usually assigned in justification of it, there exist no necessity for any alteration in the present system of paying Tithes in kind, nevertheless, it is urged, that an Abolition or some Commutation of Tithes is unavoidable, being called for by the voice of the Nation.

And, what is this Voice of the Nation? And, who are the persons thus emphatically stiled, the Nation? If we attend to this voice of the nation, which too frequently means only the clamors of the ignorant and profligate disturbers of human society, (amongst whom, however, all opponents of the present Tithe system are not indiscriminately ranked, as undoubtedly some of them are good and well meaning men,) we must not only abolish Tithes, but we must root up the foundation of every other institution, however sanctioned by the wisdom and happy experience of past ages, and new model every internal and external branch of our national polity, civil or ecclesiastical.

The asserted clamors or voice of the nation in respect to Tithes, have been shewn to be void of foundation. Whatever garb, therefore, they may put on, we may be assured, that they are not ema-

* Annals of Agriculture, vol. xlvi. p. 193.

nations from the pure spirit of unadulterated patriotism: indeed, they come in so questionable a shape, that we can scarcely avoid ascribing them, either to the artifices of the interested, or to deep and hostile designs against the establishment. And, perhaps, had it not been for the institution of the Board of Agriculture, under whose wing the authors and propagators of these clamors have presumed to shelter themselves, they would not have ventured to have lifted up their voice so much on high, or to have assumed the distinguished pre-eminence of being considered as the voice of the nation. For, from the very establishment of the Board of Agriculture, it is well known that many visionary and interested men have impatiently expected the realizing of their waking dreams, and flattered themselves, that, through the exertions and influence of that Board, a total Abolition of Tithes, in all respects agreeable to their wishes, would eventually and speedily take place.

"The recent Surveys of our Counties, pro-
" jected with a view of improving the Agriculture
" of our island, but executed by men, heady, ig-
" norant, and rash, are threatening to plunge us
" all into a wild sea of innovations. In the nar-
" rowness of their souls, and the darkness of their
" ignorance these men attend only to a single
" point, and give up every thing for the sake of
" this. They accordingly set up their cry against
" Tithes as the grand bar to all agricultural im-
" provements. And the Committee of Dissenters
" in St. Martin's-lane, who know Tithe to form a

" principal part of that provision for the Clergy, " at which they have long cast an envious eye, or " by which the Clergy are supported in their war- " fare against heresy, unite heartily with men that " mean no harm to the church perhaps, none to " religion probably, but are madly pursuing agri- " cultural improvement at the expense of all pro- " bity, all propriety, all religion in the land*."

It will, therefore, well become the Board of Agriculture, in contradiction to any supposed collusive connection with the clamors and practices of speculative and interested men, and for the preservation of the respect due unto it as a national institution of political economy, and without which it can never hope to carry into effect the permanent improvement and extension of the national agriculture, to consider, whether some parts of its past conduct may not have given rise to suspicions relative to alterations in tithes and other landed property, which are unfavorable to its honor and integrity as a Public Board, and may eventually, perhaps, prevent that essential benefit which might otherwise have resulted from its establishment.

In the formation of the first sketches of the County Agricultural Reports, drawn up for the use of, and dispersed by the Board of Agriculture, the several Surveyors were left at liberty to note down such information and remarks on all relevant subjects,

* Anti-Jacobin Review, vol. vi. p. 90.

as were dictated by their knowlege, judgment and observation; but in the Agricultural Reports of each County, they are confined to an express form of compilation, and are obliged to give opinions upon subjects which they might wish to avoid, or upon which they might not think themselves competent to decide.

In consequence of this regulation, nearly a fourth part of the writers of those first sketches, are compelled to appropriate a chapter to the consideration of tithes, if not absolutely to point them out as an obstacle to agricultural improvements; though these writers had originally either declined mentioning them, or slightly noticed them, and in some instances spoken in favorable terms of tithe-holders in general. And, at the same time that these first sketches or reports are thus remodelled and re-published under the plan and sanction of the Board of Agriculture, it is pretended that the Board of Agriculture "does not "consider itself as responsible for any fact or ob- "servation therein contained:" so that the Agricultural Reports (leaving the reconcilement of the paradox to the honorable Board itself,) are republished with and without its approbation and authority *.

Thus, in the first sketches of the Middlesex, Somerset, Norfolk, and Nottingham Reports, the Surveyors had been wholly silent on the subject of

* See note, p. 345.

tithes. But in the Agricultural Report for Middlesex *, the subject is taken up (by a new Surveyor, the old one, perhaps, not having been so pliant and accommodating,) with such unseemly warmth, invidious invective, and raking up of old stories, as, in the opinion of candid and dispassionate men, must wholly disqualify him from judging of the actual operation of tithes in kind upon our agriculture, whatever may be his imaginary merit in other branches of political economy. On the contrary, in the Agricultural Report for Somerset, the original Surveyor, though he begs leave to wave the discussion of the difficult, though important, subject of tithes, says, that, "in re- "spect to their influence on the agriculture of "this district, (the north-east part of the county,) "I see but little to complain of: both the Clergy "and Lay-impropriators have been so moderate

* This work has been quoted with approbation. But, according to statements (apparently very accurate,) in Dr. Beeke's Observations, it is most notoriously incorrect in some of the most important parts of our internal economy. And, if its credit be thus impeachable in points of the first consequence, surely it is not judging unfairly of the whole work, at least to doubt its credibility in other respects; and to question the moral and justifiable tendency of some particular passages in it. In a copious review of the chapter on tithes, the author is charged with petulance, folly, ignorance, misrepresentation, abuse and malice; and the cases of oppression (as he is pleased to call them,) cited by him in relation to tithes and the collections of them, are shewn to do honor to the Clergy, and to reflect disgrace on their abuser. Anti-Jacobin Review, vol. vi. p. 89.

" in their demands, and, in general, have agreed " to so reasonable a composition, that the progress " of improvement has received but little check on " this account *." So, again, in the Agricultural Report for Norfolk, (a county most highly and expensively cultivated, and, in proportion to its size, productive perhaps of a greater quantity of corn than any other county in the kingdom,) the original Surveyor expresses himself greatly to the credit of the Clergy and Lay-impropriators, and states very obvious reasons for ascribing the causes of most tithe disputes to the land-occupiers, and that it is folly and injustice to make farmers believe they should have their land cheaper, if they could get rid of tithes, and that, though tithes may be a discouragement to new improvements, he doubted whether, in order " to a total extinc- " tion of tithes, it would not be extremely diffi- " cult to settle such a proper equivalent as should " keep pace with the times †." And, again, in a similar strain of credit to the Clergy and Lay-impropriators, in the Agricultural Report for Nottingham, the original Surveyor, perhaps, too independent in principle and situation to disguise or be overawed in his sentiments, says, in two different places, " Tithes are in many places taken " in kind, but are more frequently compounded " for, at a much lower rate than they could be va- " lued by any Surveyor." And, afterwards, in

* Somerset Agricultural Report, 1797, p. 35.

† Norfolk Agricultural Report, by Kent, 1796, p. 154.

stating actual facts, and the almost certain consequences of any compensation for tithes, he adds, "Some persons have considered tithes as a great "obstacle to improvement, and a law to compel a "general compensation for them, as a money or "corn-rent, as a remedy. I must, however, beg "to offer my doubts as to the propriety or the efficacy of it. The right of tithes in the Clergy "or Lay-impropriators is as much fixed and "guarded by law as any other property; and, "consequently, no alteration should be attempted "against their inclination, but for very cogent "reasons indeed. It must be allowed, that the "taking tithe in kind tends to empoverish the "lands of those who pay it, by depriving them "of so much straw for manure, whilst it enriches "those of the Rector, or Impropriator, or their "lessee. It may, likewise, sometimes discourage "the growing of some particular valuable crops, "though in that case the Rector will generally "find it his interest to come to a composition. "The Legislature has, indeed, interfered; and, "for the encouragement of valuable crops, fixed "a certain sum in lieu of tithes, as in the case of "madder *. But what weighs most with me, is, "that in this, and, I believe, in most other "counties, more tithes are paid by composition

* By two successive acts of Parliament, for terms of fourteen years each; and the last of which has been expired above thirty years ago. The tithe of madder is now payable in kind.

"than in kind. The Compositions, from the "desire of Clergymen to live well with their pa- "rishioners, and partly perhaps from habit, are "much lower than the real value of the tithe. If "therefore a general compensation is to be fixed "by law, which must necessarily be by under- "standing persons upon oath, I apprehend much "the greater part of the occupiers would, instead "of being relieved, find themselves charged with "a much heavier expense than before; and, con- "sequently, instead of a general satisfaction, a "general complaint would ensue *."

The moderation of the titheholders, with few exceptions, and more especially of the parochial Clergy, in their compositions for tithes, is sufficiently evidenced by a large proportion of the County Agricultural Reports. In seventeen of them, the average amount of composition for great and small tithes, as far as the same can probably be ascertained, appears to be almost 4s †. by the acre or the pound rent: for in some of the reported estimates, the composition is stated by the acre, and in others by the pound rent. Whichever composition is admitted, it affords ample testimony, that the influence of tithes in those counties cannot be truly regarded, as any check on agriculture, or as any obstacle to the improvement of the cultivated, half-cultivated, or uncultivated lands. In

* Nottingham Agricultural Report, 1798, p. 15.

† The amount of these reported average estimates, is however rendered doubtful, when compared with the gross receipts from tithes before given.

respect to many other counties, the Reporters represent the composition for tithes as extremely easy, though without mentioning its rate by the acre or by the pound rent; and also that the Clergy universally compound for their tithes, unless compelled, by a principle of justice to themselves, to collect them in kind.

The following extracts from twenty-six County Reports, including those of Somerset and Nottingham already quoted, shew the actual state of composition for tithe, over considerably more than one half of England, (not including Wales;) and comprehending almost wholly the corn districts, are sufficiently demonstrative of the fair and moderate conduct of the titheholders, generally speaking, in compounding for their property. And from these extracts, it is not unreasonable to infer, that a similar state of composition and conduct in the titheholders, would be found to actually prevail in all the other counties, notwithstanding the ill-founded and violent philippics of some of the Reporters; whose sentiments have been long known, and recorded as hostile in an extreme degree to the interest of the titheholders.

"In the uninclosed parishes, the compositions for tithes vary from 2s. 6d. to 5s. per acre *."

"The average of vicarial tithes' compositions "does not exceed 1s. 3d. in the pound, nor great "tithes 5s. From minute investigation, not one "Rector in ten takes his tithes in kind; and I

* Bedford Agricultural Report, 1808, p. 35.

"heard of only one or two Vicars, who did so, and "probably they were driven to this measure by "the stubborn opposition of their parishioners*."

"The parishes, subject to tithes in kind, are "114; of which it does not appear that more "than one is tithed in kind. The method of pay- "ing by composition is general, and that compo- "sition fair and moderate." "The composition for "tithes is generally such throughout the county, "as to make them by no means grievous to the "farmers: it is, as was said before, fair and "moderate." "In general, the average is 4s. 6d. "per acre†."

"The small tithes which comprize all titheable "produce, except corn, are in the hands of the "Clergy, who in general compound at 1s. or "1s. 6d. in the pound of the rent, for vicarages; "and for rectories, where the great tithes also "belong to the Clergyman, from 2s. 6d. to 3s. 6d. "in the pound. In general it may be observed, "they are compounded for on very moderate "terms, when held by the Clergy; when held by "a layman, they are sometimes taken in kind, "but generally valued, and agreed for in the field, "about the time of harvest‡."

"In no part of England can the question of "tithes be agitated with a less colourable pretext, "than generally in the county of Devon: some "few instances of tyranny and extortion have

* Berks Agricultural Report, 1809, p. 91.

† Bucks Agricultural Report, 1810, p. 72, 79, 81.

‡ Cornwall Agricultural Report, 1811, p. 32.

"occurred within this district; but these were "exercised by the tithe-proctors, or other persons renting the great tithes from the Church "of Exeter, or in the hands of lay-impropriators: "The general commutation received by the "Clergy throughout this (first) district for great "and small tithes, is about 2s. 6d. in the pound "on the reserved rent, including the parochial "disbursements; or about 3s. in the pound on "the reserved rent alone. When the great and "small tithes are separate, and in different hands, "the Rector is generally contented with 2s. in "the pound on the reserved rent; and for such "of the vicarial tithes as may not be covered by a "modus, a just and reasonable commutation is "usually paid." Again, "on the subject of "tithes, it is with peculiar satisfaction, that the "author of this Report has it so fully in his power "to bear testimony to the liberality and moderation of the Clergy generally through this "county; for it is not reasonable to urge, that "2s. 6d. or 3s. in the pound rent is an high commutation for the great and small tithes of a "county so large; a proportion of the enclosed, "cultivated, and rented lands of which is subject "to a convertible system, and consequently to be "alternately cropped with corn: and there are "but few of the Clergy in the county, that exact "or demand a commutation beyond the latter "sum *."

* Devon Agricultural Report, 1808, p. 102, 428.

"The average amount of tithes, on arable, "pasture and meadow land, may be estimated at "3s. 6d. per acre; that of commons at 8d.; "open downs at 4d.; and heaths at 1d. per "acre *."

"General average of fifty-six notes, 4s. 9d. per "acre for great and small tithes †."

"In this county, the instances of tithe being "taken in kind, are not numerous, at least among "the Clergy; and compositions are moderate. In "few cases, does the demand exceed 6s. or 7s. "per acre for the produce of arable land; or "2s. 6d. in the pound on the rack rent of pas-"ture and meadow. Such a demand cannot be "deemed inequitable; and it is a justice due to "the occupiers to observe, that it is generally "submitted to without reluctance ‡."

"Composition for great and small tithes, nearly "5s. 6d. in the pound on the rack rent §."

"Most of the lands are subject to the payment "of tithes, and they are collected in kind in very "few instances. The average composition in lieu "of them, varies from 3s. 6d. to 4s. for every "pound of money paid in rent ‖."

"No instances of tithes taken in kind, through-"out the county. Average of compositions, in "thirty instances, 3s. 5¼d. per acre ¶."

* Dorset Agricultural Report, 1812, p. 96.
† Essex Agricultural Report, 1807, vol. i. p. 80.
‡ Gloucester Agricultural Report, 1807, p. 61.
§ Hants Agricultural Report, 1810, p. 90.
‖ Hereford Agricultural Report, 1805, p. 36.
¶ Hertford Agricultural Report, 1804, p. 30, 31.

"Average of composition for great and small "tithes, in eleven instances, 3s. 7d. per acre. "About half the county tithe free *."

"Average estimate of tithes in the county on "lands from 21 to 35s. per acre, 4s. 8d. per acre. "Sir Joseph Banks paid about 1s. 7d. per acre "for his tithes in the Vicarages of Holbeach, "Whaplode and Moulton; and under 2s. for his "tithes in the Rectory of Fleet †."

"Tithes are mostly commuted. Few Clergy- "men will find it their advantage to gather tithes "in kind, if they can obtain nearly the value in "money from the farmer; and it is equally his in- "terest to pay in money, if he finds he can do so "on fair terms ‡."

"General average of tithe composition, 4s. 9d. "per acre §."

"Tithes 3s. to 3s. 6d. per acre over the whole "open-field farm. Instances of oppression of the "Clergy very rare in this county ‖."

"Two thousand acres of corn tithes let at 4s. "per acre. Commutation or composition of arable "land, when fairly let, one-quarter of the rent. "Tithe at Bampton taken in kind; when com- "pounded, 3s. per acre for arable, and 2s. for "grass. They were offered for 3s. 8d., and re-

* Huntingdon Agricultural Report, 1811, p. 42.
† Lincoln Agricultural Report, 1790, p. 55.
‡ Monmouth Agricultural Report, 1812, p. 127.
§ Norfolk Agricultural Report, by A. Young, 1804, p. 41.
‖ Northampton Agricultural Report, 1809, p. 41.

" fused by the farmers, who are surely no con-
" jurers: for 4s. were given to gather *."

" Very little tithe is gathered. The average of
" compositions for tithes in this county, does not
" perhaps exceed the tithe of the rent, or 2s.
" in the pound. A few extreme cases may be
" pointed out; and such instances will be talked
" of: but, again, there are other instances below
" the average mentioned †."

" There is as great variety in the circumstances
" attending tithes in this county, as in most other
" districts in the kingdom. They are gathered in
" kind by some; and the compositions admitted
" by others, vary in proportion to the liberality
" and situation in life, of the possessors. In the
" mass they must certainly be considered as fa-
" vorable to the occupier, and to do credit to the
" moderation and feelings of the gentlemen, who,
" having the power to require what would be a
" very heavy payment from the farmer, content
" themselves with compositions under the real
" value. They are in some parishes by the acre,
" and in others by the pound of rent. Mr. Nes-
" field, of Wickhambrook, informs me, that for
" seventy-five years, they have been invariably 3s.
" an acre for corn, when a fore-crop; 2s. the after-
" crop; and 11d. an acre for hay." A note says,
" The present mode of the payment of tithes, is as

* Oxford Agricultural Report, 1809, p. 39.

† Salop Agricultural Report, 1803, p. 128.

"little liable to objection in this county, as in most "parts of the kingdom, as they are generally com- "pounded for at a very reasonable rate *."

"The tithes in this county, in most cases are "paid by a composition, which is seldom rated at "its full value; 6, 7, or 8s. per acre for arable "land, forming the usual composition †.

"The farmers' complaints are more generally "directed against the lay-impropriators than the "Clergy, the former being more rigid in their ex- "action, than the latter ‡."

"Tithes, in this county, are for the most part "due in kind. There are few parishes, where they "have been extinguished by enclosures; still fewer, "where any modus exists. As very little of the "arable land here, is convertible to good meadow, "the tithe owners have in most Enclosure-Acts, "suffered the tithes to remain unaffected thereby. "The disputes respecting tithes, and dues in lieu "of tithes, of which common report has said so "much in former days, are now but little known "in this district. Farmers have begun to see the "value of them, and Clergymen have had confi- "dence in professional men, to let them for mo- "derate terms of years to their neighbours. There "are numerous instances of parishes in South- "Wilts, where every occupier of lands rents his "own tithes of the Clergyman or impropriator. "A mutual regard to their own interest has ef-

* Suffolk Agricultural Report, 1797, p. 17.
† Surry Agricultural Report, 1809, p. 94.
‡ Warwick Agri cultural Report, 1813, p. 37.

" fected this desirable object; and the same prin-
" ciple is likely to maintain it. The composition
" paid for this property, is here usually fixed about
" once in seven years, or oftener if there be a new
" Rector. The great tithes of a considerable part
" of South-Wilts are in lay-hands; in most in-
" stances let to the occupiers of the respective
" farms; in some to a tithe-proctor, who takes
" the whole parish in kind. It has been often
" noticed, and particularly by the Clergy, that
" laymen take up tithes more than churchmen.
" The fact is admitted; but the obvious reason
" should accompany the assertions. Small tithes
" require much trouble in collecting, and breed
" much ill-will in a village, particularly where
" the produce of the yard is taken from the farmer's
" wife. Great tithes are collected in this district
" with peculiar ease, from the open state of the
" corn-fields, and the firmness of the soil to bear
" wheels at harvest. The interest of the farmer
" induces him to pay an handsome price for part
" of his neighbour's crop, which is thus brought
" to his barn at a trifling expense, and from which
" he is enabled to increase his own produce by an
" extraordinary quantity of manure; whilst the
" same natural motive directs the Clergyman to
" get rid of those difficulties which attach to a part
" of his dues; and if possible to preserve the peace
" of his parish. A resident Clergyman wants but
" few of the productions of land. It is customary
" to reserve a quantity of straw for his stables from
" each occupier of tithes; and as the grass lands

"are commonly kept in hand, he makes his own "hay, or perhaps reserves a part of the farmer's "crop at a given price, nearly equal to its real "value.

"However the payment of tithes in kind may be "an obstacle to the agriculture of the kingdom in "general, it is but common justice to the Clergy "of the County of Wilts to remark, that so far as "respects them, that obstacle can hardly be said "to exist. In many of the late enclosures, com-"mutations either in land or money, have been "accepted, and the parishes discharged of tithes; "and where tithes are still due, it is a fact, that there "is scarcely one Clergyman in twenty through-"out the county, who takes them up in kind, "though the laymen who are in possession of "tithes, too often set them the example of refusing "to compound them at any price whatever *."

"In this Riding, the practice of taking tithes in "kind, does not now frequently occur. Where "the land remains still subject to their abstraction, "the general objections to the payment of them "are the same as elsewhere; and no objections "peculiar to this county exist; nor are there any "peculiar complaints against the tithe-owners: "they are not here more rigid in collecting their "tithes than elsewhere, and individual instances "of severe exaction are fortunately of rare oc-"currence †."

* Wilts Agricultural Report, 1811, pp. 26, 27, 28.

† York East-Riding Agricultural Report, 1812, p. 54.

"The greatest part of this Riding is subject to "tithes in kind, both rectorial and vicarial: but "in many parishes they are compounded for, "especially the latter. To the credit of the tithe-"owners of this Riding, a rigid mode of exacting "them, does not generally prevail *."

From this view of the general state of tithes, and of the compositions for them, throughout a very large extent of the kingdom, does there appear to exist any solid foundation for an abolition or commutation of them?

An acute and experienced land-agent, in reference to a proposed plan for a commutation of tithes for land, says, "I believe, I have pretty clearly "shewn, that the general commutation of tithes "for land is not practicable; I will next shew, "that, under all the circumstances of the case, it "is not desirable; and that, generally, neither the "land-owners nor the occupiers, nor the great "body of consumers, would be benefited by the "change. An experience of twenty years as a "land-agent, as largely and extensively as most "at my time of life, has afforded me opportunities "of forming an opinion on the subject.

"That the great body of land-owners would "not be benefited by the change, I argue, because "the tithe-owners collectively, and particularly the "Clergy, do not, when they commute for money-"payments, receive, upon an average, more than "one-fifteenth part of the real value of the tithe-

* York North-Riding Agricultural Report, 1800, p. 50.

"able produce of the land. Such, I mean, as is "lost to the farmer, when tithes are taken in kind. "And when they do so compound, the difference "between one-fifteenth and the actual tenth, is "generally shared between the land-owners and "their tenants. Nor ought the tithe-owners pro-"bably to receive a larger proportion, since it is "impossible for them to net more when they take "their tithes in kind; and it cannot be considered "unjust, that the land-owner and the farmer "should share that which the tithe-owner could "not put into his pocket. And for the honor of "the Clergy, I can confidently assert, that I never "received instructions from those by whom I have "been employed, to make my valuations in any "other way. That the occupiers would not be "benefited by the change, I infer partly from "what has been said; and because, if their estates "were freed from the name of tithe, they would "still have to pay its full value to the land-owner "in the nature of rent. That the public would "not be benefited by the change, I conclude, be-"cause a greater proportion of produce would "not be brought into the market, than at present, "having almost always found, that whenever pre-"judice operated on account of the tithes to pre-"vent farmers from extending their tillage to in-"ferior soils, they have uniformly managed the "superior parts of their estates much better, and "consequently rendered them more productive *."

* A Letter to John Benett, Esq. by James Dean, Land-Agent, 1815. See also, hereafter, near the end of chapter eleven.

The Commutation of Tithes is a favorite project with several individuals of the Board of Agriculture, and has therefore been more or less discussed, in many of the before-mentioned first sketches of the County Agricultural Reports. And it is much insisted on, that, notwithstanding the great improvements in agriculture, they would have been much greater, and that such an immense quantity of waste land would not now disgrace and empoverish the kingdom, had it not been for the obstacle of Tithes.

In the Agricultural Report for Lincolnshire, the Surveyor, says, that "encouraged by great "capitals, and the general liberty and happiness "enjoyed by the nation, agriculture has made a "vast progress; but this progress would have "been much greater, had tithe been generally "commuted*." On this passage, the writers in a periodical work remark, that "a fairer opportunity "of deciding this question, by an appeal to facts, "could not possibly occur, than that which pre-"sents itself in this county. In the hundred of "Kirton, contiguous to Boston on the west, all the "parishes are enclosed, and nearly all exonerated "from tithe; in the hundred of Shirbeck, con-"tiguous on the east, they all remain open, and "subject to tithe. Is the husbandry in the for-"mer district very superior to that of the other? "And does a much greater spirit of improvement "animate the occupiers of land within it? We "are authorized to say, No; there is little or no

* Lincoln Agricultural Report, 1790, p. 55.

"difference perceivable between them. A few, "and but a few, more acres of old enclosure are "under the plough in the former hundred than "the latter. In point of management, (with few "exceptions on both sides,) they follow the method "of their ancestors *."

So, again, amongst the obstacles to improvement, the same Surveyor says, that "in the hundred of Shirbeck the chief obstacle is the height "of Tithes †." On which passage, also, the same writers pointedly remark, that "we have reason for believing, that Mr. Young has here applied a general observation to a particular case; "for we are enabled to affirm, that there is scarcely "a district in the kingdom where Tithes are "more moderately compounded for, and obstruct "agriculture less, than in the hundred of Shirbeck. In truth, Compositions for Tithes are "always much below the value of them; and the "Secretary would have justly extolled the moderation of the Clergy in that matter, if this most "ancient provision for their maintenance were "not the object of his implacable animosity. "Whatever respect he may profess, or feel, for "religion in general, we should be sorry to see "the care of providing for its Ministers committed to the present Secretary of the Board of "Agriculture. The Board itself would do well, "we think, to check the impetuous enmity of its "Surveyors in general, against the legal mainte-

* British Critic, vol. xiv. p. 272.

† Lincoln Agricultural Report, 1790, p. 432.

" nance of the established Church, and a large " portion of lay property. We think highly of " its endeavours to increase the produce, and to " improve the face, of the country; but we are " much dissatisfied with, and alarmed by, the " countenance which it lends to a set of rash pro- " jectors, who scatter with a lavish hand, the ap- " ples of discord throughout the kingdom *."

So, likewise, in many of these first sketches of the Agricultural Reports, not only instances are eagerly adduced of complaints against the rigor with which Tithes are said to be exacted in kind or by composition, but a great part of the Clergy are represented as inclined, and even well-wishers, to the Commutation of Tithes, and that such a measure would not be opposed by the whole Bench of Bishops. The rashness, the malignity, and the falsity of such representations and insinuations are conspicuous and self-evident; and they merit no more particular answer, than briefly to remark, that Tithes are not rigorously exacted; and that neither the Clergy, nor the venerable Governors of the Church, can be supposed to be either suicides, or to place a dagger in the hands of those who thirst for the blood, if not the very life, of the establishment.

The meditated plan † for the sale of the Impro-

* British Critic, vol. xiv. p. 380.

† " It seemed to little purpose to state and discuss the law " (of tithes,) when the subject-matter itself was threatened " with annihilation; when men were industriously taught to " believe, that agriculture would derive vigor from the abo- " lition of tithes, and the State would find resources in their

priators' Tithes, and for the exchange of the Clergy's Tithes to an Income in money, was more particularly developed in the Annals of Agriculture; which, though not confessedly under the patronage of the Board of Agriculture, was under the editorial direction of the Board's Chief Secretary; and who, from his appointment to that office, seems to have constantly acted as the organ of the Board of Agriculture, through the medium of that publication. It is to be found in the 32d volume, accompanied by twelve queries, for the communications of the editor's correspondents on the subject; which communications, also, are to be found in subsequent parts of the same and following volume.

By this plan, it was proposed to have compelled the Lay-Impropriators to have sold their tithes, and the Clergy to have exchanged their income from tithes in kind, and issuing out of immovable landed property, for an income to have issued out of moveable funded property; that is, to have extinguished a permanent landed security, inextinguishable without the extinction of the land itself,

"ruins. A bold financial policy, favored by the indifferency "of a great part of mankind to every thing connected with "religion, and supported by the zeal of sectarism, the wiles "of interest, and the prejudices of ignorance,—at a view of "such a combination acting at a most alarming juncture, "amidst the distresses of war, and of scarcity, I will con- "fess, that I have often thrown down my pen, and desisted "from the pursuit of an inquiry, which seemed to be fruit- "less." Sir Henry Gwillim's Tithe Cases, &c. 1801, vol. i. preface, p. 7.

for an uncertain and fluctuating security, perhaps not durable in itself even from the operation of redeeming the national debt, and at all times exposed to annihilation by the breath of political convulsion and distress. Of this plan, it has been remarked, that "to convert the stipend of the "Clergy to a money-payment, and vest their pro-"perty in the funds, is the wickedest idea a profli-"gate and unprincipled mind ever seriously con-"ceived. The author of the project is every day "sinking into contempt; and it is unnecessary to "warn my country against the dangers of a single "individual, more distinguished by low cunning, "than profound knowlege; by pliability to the "bent of interest, than solidity of judgment; more "by pertness of plausibility, than sound reasoning "and extensive information *."

Whether the plan was first given to the public either with or without the permission or connivance of the Board of Agriculture, it doubtless was extremely improper and indecorous to beat up, as it were, for volunteer opinions and suffrages upon it, before the plan had been regularly submitted to Parliament. There did not exist any necessity for such a precipitate mode of proceeding. The discussion of a question of such infinite present and future importance, could not have been hurried over, or so soon dispatched, or any final settlement of it have taken place, without having afforded suf-

* Thoughts on Non-Residence, Tithes, Enclosures, &c. 1800, p. 40.

ficient time for collecting information and opinions respecting it, if such should have been deemed necessary. And, even then, it would not have been less improper and indecorous, as being inconsistent with the wisdom and dignity of Parliament, to have had those opinions solicited through the medium of a periodical publication.

The answers of the editor's correspondents are very vague, if not contradictory; and tend more to confuse, than elucidate the plan. One in particular, No. 15, is well worthy of serious consideration; and in another, No. 19, is a passage too deserving of reproof to pass without censure. It is said, that "Satan himself could not have devised "a greater source of mischief in the Christian "world, than the payment of tithes." If the writer recollect, that tithes were the express appointment of an all-wise and gracious God under the Jewish law*, and from that appointment

* "God established Tithes among his chosen people, not "at all apprehending from them any ruinous consequences "to the agriculture of the country, though agriculture in "Judea was the only source of national prosperity, all inter-"course with strangers, and consequently all foreign com-"merce, being strongly prohibited. When the promised "Land came to be distributed among the people, a portion "of this Land might have been set apart for the Priesthood: "while the revenues of the State were yet unappropriated, it "was easy to enact that the Priesthood should be paid out "of the treasury; or to each individual exercise of their "sacred functions might be assigned some specific remune-"ration. Moses, however, obedient only to the express "command of God, fixed on tithes." Commutation of Tithes in Ireland, before cited, p. 3, 4, 5.

adopted in the Christian church. What opinion can be formed of his piety? And, Is he quite free from the charge of blasphemy? But, perhaps, the sentiment and expression are altogether consistent and worthy of the author of Tithes Indefensible: a publication, which has been censured* as most exceptionable, for its flippancy, scurrility, ribaldry, and indecency; its intentional misrepresentations, its partial evidence, its irrelevant and garbled quotations, its false statements and assertions, and its erroneous reasonings and conclusions. The author, indeed, stiles himself an Honorary Member of the Board of Agriculture; however, it may be doubted whether any honor or credit will be reflected on the Board of Agriculture, from the admission of such Honorary Members, or from the co-operation of such co-adjutors.

Again, without meaning to inquire minutely into more traits of its dubious and unwary conduct, it will likewise well become the Board of Agriculture to consider, Whether it has not unguardedly given occasion to suspect, that very material alte-

* British Critic, vol. viii. p. 32. The second edition is the object of the reviewer's animadversion and reprehension; and the author of the pamphlet appears to have severely smarted under the lash of them. Nor is the third edition, in 1796, much more correct in its statements, or decent in its language. The author's matter and expressions are equally disgraceful to an accurate inquirer, a gentleman, and a member of the Legislature. Nor would the dedication of his labors to a Peer of Parliament at all avail him, if he were summoned to answer, at the bar of reason and justice, for his offences against decorum, truth, and religion.

rations, in respect to divers other species of landed property, are in the eventual contemplation of the Board.

The reasons for such apprehensions are too numerous to admit of a full detail in this place. The principal ones are, that the Board of Agriculture, from its very establishment, has discovered an inclination to force its inquiries beyond the generally supposed objects of its original institution. It appears to entertain great hostility against the existing systems of landed property and tenures, whether holden of laymen or ecclesiastics; and the Board, or at least the Surveyors employed under its auspices, apparently busy themselves too much about the ancient rights and privileges of the great landed proprietors: they seem anxious to interfere with every man's property, in a greater or less degree; and, by new modelling it according to their preconceived ideas of speculative improvement, to remove, as it were, every one his neighbour's landmark. A spirit of suspicion, therefore, has generally pervaded every rank of people connected with landed property; and the Board of Agriculture, with all its proceedings, is regarded with the greatest jealousy, solicitude and impatience. In a word, such inimical impressions on the foregoing and other accounts, (how justly founded, is best known to the actual managers of the Board of Agriculture's concerns,) are so deeply imprinted on the minds of the majority of landed proprietors, that nothing short of an open, explicit engagement not to intermeddle with any description of landed pro-

perty, will produce an effectual co-operation of the landed interest, in promoting the more obvious and laudable objects of the Board's original institution.

In the foregoing passages, no disrespect is intended towards the Board of Agriculture. Under the direction of men of sense, moderation, candor, and reflection, its establishment may be calculated for the national benefit; but whilst under the impulse of pre-conceived notions, prejudice, impetuosity, interest, and the rage of innovation, its exertions are more likely to tend to the national disadvantage. As a public body, it must not expect to be exempt from public animadversion. Nor can it hope, or ought it, to escape censure and reprehension, if at any time its proceedings should exhibit a tendency towards the rash destruction of ancient rights, for the unwarranted introduction of untried theoretic systems, or to excite or encourage clamors against the Clergy's and Lay-Impropriators' revenues, or the mode of paying them *.

To the foregoing arguments against the necessity of an abolition or commutation of tithes, others might be added. But, supposing the alleged hardship and impolicy of tithes to be justly founded, and the payment of them in kind or by composi-

* The Board of Agriculture, of late years, has exhibited apparently greater caution and moderation in its proceedings than at its first institution. But let the tithe-holders ever bear in mind,

Periculosæ plenum opus aleæ
Tractas: et incedis per ignes
Suppositos cineri doloso. HOR.

tion, to be actually proved to be an obstacle to the improvement and extension of the national agriculture, and consequently, that the asserted evil effects of tithes should be made to cease by some hitherto unsuggested measure, yet the nation might perhaps in vain look forward to those happy times, the return of those golden days of permanent plenty and cheapness, which it has been so repeatedly and triumphantly taught to expect, from the sole commutation or abolition of tithes.

Time and experience would more probably discover the fallacy of such promises; and the expectation of the community would in all likelihood end in sad disappointment. The necessaries of life might indeed find a temporary reduction in price, as at present *; but the more real and more alarming evils consequent on the too prevailing monopoly and consolidation of farms, and the conversion of arable into grass lands so intimately connected

* The present depressed and distressed state of agriculture, has probably proceeded from a series of concurring and connected causes; namely, the abundant agricultural products of late years with favorable harvest seasons, the diminution of demand on the cessation of the war, the consequent reduction of prices from an increased produce and diminished consumption, and the contracting and eventual withdrawing of the circulation of the country banks on the decrease in the prices of produce. But the extreme point of depression appears to be passed; and it is to be expected from the depending parliamentary inquiry, that such measures of relief will be adopted, as will at an early day re-assure the agricultural interest, and be productive of a just scale of prices to adequately remunerate the cultivation of the soil.

therewith, must be checked and redressed. The enclosure of common fields, wastes, and commons may be carried into effect; but some provisions must be made against the laying down of the present arable land into grass in proportion to the waste land improved, and against the swallowing up of those lands, when brought into cultivation, in the neighbouring farms, or consolidating them with farms already too extensive. Methods may be adopted for keeping the price of corn to a reasonable scale between the grower and consumer; and land proprietors may determine to grant no leases, or for short terms only; but care must be taken to continue and progressively advance the tillage of corn in proportion to the growth of our population, that the production of it may on the one hand be sufficiently abundant, and the price of it may on the other sufficiently reward the farmer, and still be within the reasonable means of the labourer and mechanic.

"Of late years, the enclosure of common fields, "has been too much the grand object of the coun- "try gentlemen, under the idea (which has been "so strenuously maintained by many,) that enclo- "sures tend the most to increase population, and "return a greater produce from the earth; but "the fact is, the enclosure of common fields tends "chiefly to a consolidation of small farms. These "improvements, and the attendent expenses, create "a rise of rent; to answer which, the engrossing "farmer studies a decrease of labourers; and as

" pasture requires less manual labor than arable " land, it answers his purpose best."

Afterwards, in a quotation " from the judicious " observations made by a Clergyman on this sub- " ject, the same writer adds, a great cause, if not " a principal one, of the present high price of " provisions in this part of the country, I take to " be the unscriptural and impolitic habit of adding " house to house, and field to field; these accumu- " lated farms are not proportionably cultivated for " corn, but principally grazed for live stock, and " the opulent farmer is often, on this account, " obliged to buy bread-corn for the use of his own " family: whereas he ought rather to supply his " dependent labourers and the poor, with this " article. The keeping this large class of the " community (the agricultural labourers, and the " poor of the country parishes) partly from the " market, would give a considerable check to " the avariciousness of the corn-factor, and conse- " quently reduce the price of the most necessary " article of life *."

The measure of enclosing and improving our common-field and waste lands, should be proceeded in with prudence, caution, and deliberation: and it should be a principal endeavour to prevent them from being formed into, or annexed to, farms of too great magnitude; and, above all, from being converted into grass lands, by having it expressly

* Capper's Statistical Account, 1801, p. 42, 43.

provided, that a certain proportion of them should at all times be continued in the tillage of corn. And so far from land owners cherishing a notion of granting no leases in future, or for very short terms only, it would be more advisable in them to devise covenants on granting leases, to compel their tenants to have always a certain determinate proportion of land according to the nature and size of the farm, in the tillage of corn, and to bring a proportionable part of the produce of it to market, instead of selling the whole of it privately at home, or more publicly by sample *.

Then might we indeed hope to see, in the course of a few years, are turn of lasting plenty, and a consequent steady and reasonable reduction in the

* The general modern practice of selling corn by sample is very injurious to the middling and lower classes of the population in cities and towns. Being unable to purchase sufficient corn at their respective markets, and unable to supply themselves from the farmers in the contiguous districts, unless by special favor, and probably at some increase of price, (as farmers will seldom sell at home small quantities for the same price willingly accepted by them at market,) they are not only deprived of the profit of manufacturing their own corn into flour, but are reduced to the necessity, either of purchasing the adulterated and unwholesome mixtures of the meal-man, or of buying ready made bread at the baker's shop at an higher price. It is a fallacious defence of the practice of selling by sample, that the farmer can sell his corn at a lower price, by saving the expense of carrying it to market; because, when sold to corn-factors or meal-men, he must either deliver it at their warehouses, or allow for the delivery.

prices of every article of agricultural produce: then, under Providence, should we not be dependent on the scanty and precarious supply of a foreign market, but enjoy the fruits of our own happy and abundantly productive soil: and, then might the husbandman, together with his labourer, rejoice in the work of their own hands, and, in the figurative language of Scripture, live every man at ease under the shadow of his own vine, and his own fig-tree.

The general result of the preceding four chapters appears to be, in the words of a most able inquirer, "that tithes, of whatever denomination, "and however taken, have not been, nor are "ever likely to be any material obstacle to the improvement of agriculture. We have seen, that "even the lay-impropriator, *though generally* "able to make the most of them, *readily accepts* "a fair composition, being nearly in the same relative situation, with respect to the cultivator, as "the landlord is with regard to his tenant. We "have seen, that the rectorial Clergy are, for the "most part, content with a composition yet lower: "and that the inferior vicarial Clergy are, as it "were, compelled to receive one lower still. We "have seen, that even that kind of culture which "is the most expensive, and the tithe of whose "produce is the highest, has notwithstanding continued to flourish and increase to a most astonishing degree. We have seen, that where the "tithes have been taken in kind, a mode the most

" severely inveighed against, and the most heavily
" complained of, the spirit of cultivation has ne-
" vertheless remained as active and vigorous, not
" only as where composition has taken place, but
" as even where the adjacent lands were altogether
" tithe-free, and perfectly similar in soil and situ-
" ation. Last of all, we have further and finally
" seen, that the claim of tithes in clerical hands,
" instead of an obstruction, is really an encourage-
" ment to agriculture. In a word, whatever ob-
" stacle to agricultural improvements might arise
" from tithes carried to the utmost extremity, or
" whatever inconvenience or hardship may have
" actually fallen upon some individual persons, in
" particular and extraordinary cases, (and what
" laws, or what regulations, were ever exempt from
" such cases?) yet, in the moderate degree, in
" which they have hitherto been generally exacted,
" and, in the nature of things, are likely to be ex-
" acted in future, there seems not, either from spe-
" culation, or from fact, any public reason to in-
" duce the community at large to wish for their
" abolition, or even for their commutation." And,
as the same writer adds in the conclusion of his
inquiry, " that tithes even under the most disad-
" vantageous circumstances, are perfectly consist-
" ent with the most alert and spirited agriculture,
" and that they throw no efficient discouragement
" in the way of the farmer, to prevent his vigorous
" exertions in order to render his land as produc-
" tive as possible; and, consequently, that, as far

"as the most ample provision of the necessaries of "life is concerned, the public good does not re- "quire their abolition, or even commutation *."

* Howlett's Influence of Tithes upon Agriculture, 1801, p. 38, 120.

CHAPTER THE ELEVENTH.

ON THE JUSTICE OF AN ABOLITION, OR COMMUTATION OF TITHES.

FROM discussing the necessity of an abolition or commutation of tithes, let us proceed to inquire into the justice of such a measure, as it respects all tithe-holders, and the Clergy in particular.

In the leading principle of plans for this purpose, there appears the greatest and most obvious want of equity, considering tithes as the private property of any individual, or body of men; and an equally remarkable and offensive want of policy, considering tithes as the maintenance and support of the Ministers of the established national religion. These plans, scarcely without exception, have paid no adequate regard to the future improvable interests of the tithe-holders, whether Laymen or Ecclesiastics; but have gone irrevocably to determine the immediate and future incomes arising from tithes, on the basis of the value of them at this time only, without any sufficient reference to the eventual increase or improvement in value, which tithes must experience under the present system, from the extension and improvement of

agriculture and its products. And, accordingly, it has been pointedly observed, that "with regard to "the inferior (especially the country vicarial) "Clergy, it would perhaps be difficult to give them "a full equivalent both for the present and the "future, supposing the continued increasing pro-"portionate expense of cultivation *, a circum-"stance by no means improbable. As far, indeed, "as the actually existing Clergy are concerned, "especially the vicarial part of them, the commu-"tation must be defective and iniquitous indeed, if "it gave them not considerably more than they "have ever yet received, owing to their inability "to enforce their just claims †."

It is a fact too notorious to be disputed, that the income of four-fifths ‡ of the parochial Clergy, even in their present improved state, are generally insufficient for their proper support and appearance in society. And it is equally certain, that the present possessors of the lay-impropriations must have paid a valuable consideration for them; as few instances can be cited throughout the kingdom, of an impropriation being now continued in the fa-

* Strictly speaking, the word, cultivation, refers to arable land; but surely it may be used with all propriety in respect to grass land, (the chief source of vicarial tithes,) on account of the expense in manure and labor more or less employed upon them.

† Howlett's Influence of Tithes upon Agriculture, 1801, p. 40.

‡ In 1809, the incomes of four-tenths of the parochial Clergy, as before stated, did not amount to £80 per annum, on the average.

mily, who became possessed of it at the Reformation.

Now, if the incomes of four-fifths of the parochial Clergy are at this time found to be incompetent, and those incomes are nevertheless to be so fixed as never to exceed the comparative value they now or shall hereafter bear, to a certain determinate proportion of the necessaries of life, it is plain, that four-fifths of the parochial Clergy must for ever be condemned to labor for an income incompetent to their maintenance. And, if from the progress of refinement, and the consequent increasing contingent expenses amongst all degrees, the Clergy's income should become unequal to the support of their appropriate respectable rank and appearance in society, their importance must of necessity insensibly diminish, their influence and authority as Ministers of Religion must decline, their instructions and admonitions would be neglected, and from being accustomed to treat them with little attention and respect, men would proceed to behave towards religion itself in a similar manner; the evil effects of which would soon shew themselves, and shoot up into a plentiful harvest, destructive of both Church and State *.

* " Let us be spared the painful task of tracing the fatal " consequences of the extinction of religion among us. The " very loss of our Church Establishment, though, as in all " human institutions, some defects may be found in it, would " in itself be attended with the most fatal consequences. " No prudent man dares hastily pronounce, how far its de- " struction might not greatly endanger our civil institutions.

And in regard to the lay-impropriators, notwithstanding they should receive landed property in exchange for their tithes, as such landed property would never exceed the comparative value it now or shall hereafter bear, to a certain determinate proportion of the necessaries of life, equal to the present value of their tithes, surely any compulsion to effect such an exchange of their property, would be too nearly allied to oppression and injustice. The interest in tithes is not only present, but eventual; and the lay-impropriators, who, as before observed, have come into possession of their properties by the payment of valuable considerations, and holden those properties, peculiar as they may be in themselves, as landed properties and freeholds, have frequently purchased them at very advanced prices, in proportion to the extent and future improvability of the lands out of which they issue; and as possessors of such properties, they are as much entitled to every eventual im-

"It would not be difficult to prove, that the want of it would "also be in the highest degree injurious to the cause of "Christianity. To what a degree might even the avowed "principles of men, not altogether without religion, decline, "when our inestimable Liturgy should no longer remain in "use! A Liturgy justly inestimable, which continually sets "before us a faithful model of a Christian's belief, practice, "and language; restraining us, as far as possible, from ex-"cessive deviations; furnishing us with abundant instruc-"tion, when we would return into the right path; and af-"fording advantage-ground of no little value to such as ad-"here to the good old principles of the Church of England." Wilberforce's Practical View, ch. vi.

provement in the value and produce of them, as the possessors of any other landed property whatever.

On this subject, says a Reporter, "As to a "proper and adequate substitute for tithes, a "subject so deeply connected with the interests of "the different classes of the community, and so "rooted in the present constitution of society, it "is difficult to suggest any plan that will meet "the views of the parties concerned, and remove "the evil, without injuring the interests of any "of them. The great object of every plan for a "commutation of tithes, should be to secure to "the titheholders an annual sum, that should in "all time forthcoming, bear some proportion to "the price of grain that it does at present: and "while it preserved the titheholder from suf-"fering by the depreciation of money, it should "at the same time secure to the farmer, the en-"tire and undisturbed enjoyment of the fruits of "his improvement, during the currency of his "lease. Perhaps, the plan should go still further, "to secure the interest of the titheholder: he "ought not only to be guarded against suffering "by the depreciation of money, but as the tithes, "as they now exist, give a right to a share in the "increased value of the land absolutely considered, "the plan ought to preserve to him this right, "if it could be done consistently with the good "of the community *."

* Surry Agricultural Report, 1809, p. 94.

Nor can any fit or sufficient reason be assigned, why the titheholders, exclusive of all other landed proprietors, should be compelled to a kind of exchange of their peculiar landed property, (which, being indefinite as to its future value, cannot equitably be exchanged with reference and in proportion to its present value only,) for another species of landed property; which, though it may always rise to its general comparative value, must gradually become inferior in income to the original property so exchanged: because the value of tithes, from the extension of cultivation, and the increase of agricultural produce, must always rise in much greater proportion than the value or rent of land itself. With equal propriety and justice it might be proposed, that all landed proprietors should be compelled to fix the rents of their estates, according to the present state and produce of them, at a certain determinate rent or proportion of the necessaries of life; and which determinate rent or proportion of the necessaries of life, the proprietors of the estates should not have the power of augmenting, notwithstanding the products of their estates might be multiplied, twenty, thirty, forty or an hundred fold.

It has been a practice of late years, through the innovating spirit of the times, to declaim, both in books and conversation, against the injustice, avarice and rapacity of titheholders. But such charges must be regarded, as the effusions of ignorant, interested, or very artful and designing men; and in vindication of the titheholders, it is

to be asserted, that in the collection of their rights, they observe much greater moderation than the unreasonable and malevolent are willing to allow them; and especially the Clergy, against whom the forgeoing charges are more particularly leveled. Very few instances, in comparison of the large number of titheholders, can be produced of any rigorous exaction of their just and legal dues; and it has been already shewn, that the titheholders do not receive any equitable compensation for the property belonging to them. Compositions of every kind are in general beneficiary contracts on the part of the land occupiers; even when founded on valuations from year to year, according to crops and stock on the ground, they are, with few exceptions, in favor of the farmer; and in no case whatever is the actual value of tithes scarcely received, except by collecting them in kind: a practice, it is true, which lay-impropriators may sometimes adopt; but which is believed to be a practice of very little extent, and which the Clergy almost to a man decline, unless compelled to it by the fraud or injustice of the land occupiers.

That the real value of tithes, notwithstanding the complaints against the extortionate exactions of the titheholders, is not yet ascertained by the proprietors of them, and for obvious reasons most certainly not received by the Clergy, has appeared from the comparison of the landed produce of the kingdom subject to tithe, with the income most probably received from it by the titheholders; and which affords a most convincing proof of the

falsehood and malignity of those who assert, and of the credulity of those who believe, the oppressive influence and injurious consequences of tithes upon agricultural pursuits,

Nor upon inquiry into the proportionate interests in the Church estates, vested in the Ecclesiastical Corporations, and in the hands of their lessees, would the Ecclesiastical Corporations appear to receive a more adequate compensation, on granting away further portions of their interests in them from time to time, notwithstanding the complaints of enormous fines being exacted on renewals. It is asserted on very high Ecclesiastical authority, communicated to the author some years ago, that the reserved rents received by the Ecclesiastical Corporations in general, did not then exceed on the average the fortieth part of the annual value of the Church estates: and notwithstanding some of these Corporations have wisely preferred a permanent augmentation of their annual incomes to the temporary and casual receipt of much larger fines, and have therefore taken no fines on some renewals, but made proportionate additions to the ancient reserved rents; yet nevertheless the lessees of the Church estates, after making all deductions for reserved rents and renewals, are at all times possessed of two-thirds of the gross value or fee simple of the Church estates.

And in respect to the cultivation of the estates held under the Church, and the value of the leases by which they are holden when compared

with freehold property, it has been observed, that "we see lands held under the Church, under Corporations, and under charity endowments, &c., "where renewal is certain; nearly in as good a "state, (that is, in respect to cultivation,) as "freehold property, and easily to be distinguished "from lands held under private lords, where "such renewal is frequently withheld. Various are "the opinions respecting the comparative advan-"tage, attending the purchase of freehold and "leasehold property. But let us have recourse to "figures, and we shall find, that two men starting "together with £1,400 each, and purchasing, "the one a freehold estate of £56 per annum at "twenty-five years purchase, and the other a "leasehold estate for three lives of £100 per "annum at fourteen years purchase, would be in "very different situations at the end of twenty-one "years. Calculating the interest of each at five "per centum, and allowing three renewals at "two years purchase, (clear income,) the lease-"holder's estate of £100 per annum, (nett,) would "at the expiration of twenty-one years, cost him "£1,205. 18s. And the freeholder's estate of £56 "per annum, (nett,) would at the expiration of the "same term, cost him £1,900. 1s. The freeholder "would experience a comparative loss of £500; "and the leaseholder a comparative profit of £194: "making a difference in favor of the leaseholder "in twenty-one years, of £694. A deduction "should be made from the leaseholder's profit, "for lord's rents and heriots; and something "from the freeholder's loss, for increasing value

" of timber: but these will not be sufficient to in-
" validate the general conclusions.

" The great cause, why leaseholds are held
" in low estimation by the commonalty arises
" from the improvidence of the general holders,
" who for the most part expend the whole income
" of their estates, without laying by a fund for the
" purpose of renewal. Hence it follows, that
" their estates fall into hand, and the owners are
" reduced from a state of comparative affluence to
" beggary: at which event, the general excla-
" mation is, Who would have leasehold property *?"

The aggregate revenue from tithes was stated many years ago at £5,000,000 per annum. But as it has been shewn, that the titheholders, and more especially the Clergy, are not even at this time in the receipts of incomes from tithes in any degree proportionate to such a former statement, it is not easy to conceive on what calculations or conjectures it could have been founded: in all probability it rested on little more than mere opinion only, or was built upon very inaccurate information or more erroneous computation. The parishes in England have been stated at 10,649: and of these, perhaps 649 at the least (that is, parishes situated in cities and great towns,) have no connection with tithes, or the receipts from them are so inconsiderable, as to be of no account in a statement of political arithmetic. Amongst the remaining 10,000 parishes then, including the impropriations of the respective vicarages, was to have been di-

* Somerset Agricultural Report, 1797, p. 207, &c.

vided the gross revenue said to have been drawn from tithes; and which, at £5,000,000 per annum, would have made the annual tithe income of every one of those 10,000 parishes, making no allowance for the tithe-free lands, £500 on the average: which surely the hardiest, or best informed opponent of the present tithe system, would scarcely have ventured to have seriously asserted as a fact between thirty and forty years ago; as the present annual income from tithes, in the possession of the Clergy and lay-impropriators, already mentioned, does not exceed £3,569,000.

If then the actual receipt from tithes by the proprietors and possessors of them, be so greatly inferior to their real value, surely no plan for a commutation of tithes, and for fixing the future incomes of the titheholders, on the basis of the present receipt from tithes, can be equitable.

In parishes, where tithes have been compounded for on terms nearly approaching the real value, or according to valuations made from year to year, or where they have been actually taken in kind, the titheholders at first sight would not seem to be so materially injured; they would appear to receive a fair value for their tithes: however, as before observed, they would receive no compensation for their eventual interest in them; that is, no compensation for that increase in value which their tithes will hereafter experience, from the improvement of waste lands and commons, from the enclosure of common fields, and from the augmented products of the lands already in se-

veralty. And in parishes, where from a desire in the titheholders, whether laymen or ecclesiastics, to live upon good terms with the inhabitants, or from any other causes, the titheholders' receipts, through the medium of compositions, have borne no proportion to the actual value of their tithes *, the impropriety and injustice of a commutation of tithes, and of fixing the future incomes of the titheholders on the basis of the present receipt from tithes, is too glaring to admit of the least defence: exclusive of receiving no immediate adequate compensation in proportion to the real value of their tithes, such titheholders will be more seriously injured in respect to the future increase of their tithes, than the titheholders in the parishes just mentioned; and they will not only have suffered injury themselves, from their former inattention, good will and moderation, but will entail the same injury upon their heirs and successors likewise, to the latest posterity.

Moreover, from the foregoing causes, there will prevail a very great and unjust disproportion between the commutative value of tithes in dif-

* "Would landholders think it right, that their rents "should be fixed in future according to the average of the "sum, which they had received for several years past, or "which they now receive: especially if they or their an-"cestors have been remarkably lenient in their rents? "Would they like, that their favors should be turned into a "reason for diminishing the value of their estates? If not, "why do they apply to others a rule, which they are un-"willing should be applied to themselves?" Dr. Belward's Defence of the Right to Tithes on Principles of Equity, 1794, p. 52.

ferent parishes: so that proprietors of lands, in parishes whose tithes have been accounted for in some near proportion to the real value, will commute their tithes at a very high rate, in comparison of the proprietors of lands in parishes whose tithes have been accounted for in no proportion to their real value: and hence, in such latter parishes, the land proprietors and occupiers will not only have been benefited for years past, in the inferior composition paid for their tithes, but will also receive a further douceur in the commutation of them at a similar inferior price.

But it is said, that the Clergy in particular will be greatly benefited by a commutation of tithes; and that the most obstinate, perverse and wilful blindness to the immediate interests of themselves and families, and the most inattentive and criminal disregard to the interests of their successors, can alone induce them to oppose such a measure.

An augmentation of income must undoubtedly be an object of the first consequence to the great majority of the Clergy; and it is to be feared, that some of them, flattered by such hopes, may unwarily be tempted to co-operate in the commutation of tithes. Wherefore, before we proceed to inquire in what manner the Clergy can be benefited by exchanging their present income, derived from tithes in kind, it will be necessary to remark, that, though notions may have been disseminated and adopted of the Legislature's having a right to dispose of or exchange them, tithes are surely neither transferrable nor convertible without the consent of the present proprietors; and that the

Clergy, who are the most numerous proprietors of them, and most indubitably only usufructuary proprietors, can neither honestly nor honorably give such consent*.

In the breast of every life-tenant, (and more especially of the Clergy,) capable of reflection, and alive to the energies of honor and integrity, there ought to arise other considerations, far more impressive, paramount and obligatory, than mere present and personal advantage. These considerations or duties are founded upon the generous golden rule, of doing as we would be done unto; and consist in sedulously avoiding every act, or the promotion of any act, which, though to our own immediate advantage, may ultimately prove a lasting injury to those who are to succeed us. And in the present case, as will be soon seen, what conduct would be more injurious to the future interests of the successive Clergy, or what conduct more unwise, unbecoming and culpable in the existing Clergy, than the exchange of their income derived from Tithes in kind †?

* "No change can be made in the property of the Clergy, "which will not be liable to the objection of reducing them "to a state of dependence, on the justice or policy or charity "of the legislature; a situation at once undignified and unsafe, unless a convocation shall be called, and the assent "of the Clergy, so assembled, fairly obtained. It is remarkable, that such a proceeding has never been proposed by any of the advocates for a commutation of tithes." Letter to William Wellesley Pole, Esq. on a Commutation of Tithes in Ireland, 1810, p. 28.

† "The right of the Church of England to its property, "of every denomination, is not derived from the concession "of parliaments, or the favor of princes; but is at least as

Had the predecessors of the existing Clergy been influenced by unwary or unworthy motives to have co-operated in a design of a similar nature in former days, or had they not withstood, on the contrary, all attempts to seduce them from the honorable and equitable path of duty towards themselves and their brethren in succession, and had not even the Legislature thought proper at different times to have interfered, and by prohibiting the formation of moduses, and by the restraining Acts, prevented the necessitous, indolent, and worthless members of the Establishment, from ignorantly or knowingly dilapidating its revenue,

" ancient, and deduced from a principle at least as sacred,
" as any other right enjoyed or exercised in this country.
" Nor ought we to infer, that because parliament, in per-
" mitting the enclosure of a common, has established in land
" connected with that common, some commutation for tithe,
" by the previous consent of all interested parties, a general
" commutation of all tithe may be enforced, not only with-
" out the consent, but in defiance of the Clergy. It should
" be remembered, that their right to tithe is founded on pre-
" scription anterior even to the State, and is at least, by
" adoption, made a principle of the constitution. It is fun-
" damental in the Church, which subsists not only by alli-
" ance with the State, but is identified with it. The Clergy
" of the present day have but the usufruct, and are incom-
" petent, even if they were willing, to dispose of the inherit-
" ance of their order. They can neither be bribed nor com-
" pelled to consent for their successors in all future ages,
" whom they do not represent, or to exchange a right which
" is prescriptive and fundamental, for property of any kind,
" which can only be ensured to them by the validity of re-
" cent convention." Letter to John Bepett, Esq. by the Reverend William Coxe, Archdeacon of Wilts, 1815, p. 27.

what would have been the wretched and empoverished state of the income of the Church in these days? Small and incompetent as it is, it would have been rendered still more inconsiderable, and still more inadequate; so as to be scarce deserving an attempt to shield it from the designs of its secret or avowed adversaries; whose machinations may prove the annihilation of both it, and of Church and State, when least expected. Under the same tenure, and of the same species, as the successively existing Clergy have received the property of the Church from their predecessors, so are the present Clergy bound to transmit it to their successors, free and unimpaired, and having holden it only as a temporary and usufructuary property; and, regardless of any personal inconveniences resulting from the occupation of it, they are required to maintain it in its present state, and strenuously contend against every alteration or diminution of it*. And to this the present Clergy are obliged

* "Kindness on the part of a Clergyman in consulting, even "at some loss to himself, the convenience of his parishioners, in the management of his tithes; and that cautious moderation in his demands, which not only implies a mind untainted by avarice, but a solicitude likewise to make every reasonable sacrifice, rather than have the sphere of usefulness narrowed by dissensions, is by no means always sufficient to secure him from the necessity of contest. The rights which are invaded or with-held may be of so much importance to himself, and also to his successors, for whom he is bound to regard himself in some respects as a trustee, that he may be obliged in conscience to defend or reclaim them, at the risk, or even with the certainty, of considerable expense." Gisborne's Duties of Men, ch. xi.

not only by the principle of immediate interested duty towards themselves, but of prudential forecast and duty towards their successors; as it is impossible, whatever seemingly beneficial proposals may be adduced, that the income of the Clergy derived from tithes in kind, can ever be placed on such a stable and desirable foundation, as it rests at present *. And sharp and early, perhaps, will be the woe and self-condemnation of those of the Clergy, who from inattention, folly, or any other motive whatever, shall at any time have recommended or promoted the exchange of their sacred birthright †.

* "At the policy of accumulating land, as affecting the "interest of the Church itself, it is sufficient to hint, that "had all tithes been commuted for land in this proportion, "(viz. one-fifth of the open corn-field, one-ninth of the "common or waste land, and one-seventh of the old enclosure,) would not the Church at this time have been "much in the same situation, in which it was at the dissolution of the Monasteries in the reign of Henry VIII.; "when the strongest plea for their destruction, and the most "popular argument in its favor made use of, was, the undue "proportion of the landed property of England possessed "by the ecclesiastical body." York East-Riding Agricultural Report, 1812, note, p. 59.

† "The Duke de la Rochefoucault, and many other economists and philanthrophists, with intentions which they "believed pure, opened the breach through which Robespierre and Marat were to rush; and some Parish Priests, "who had no other object than to attain ecclesiastical dignities, and increase their income by diminishing that of "the high Clergy, recruited the revolutionary army, which "was destined to overturn their own parsonages, as well as "the palaces of the Bishops." De Moleville's Annals of the French Revolution, vol. ii. p. 332.

To return to the inquiry, in what manner the Clergy will be greatly benefited by a commutation of tithes.

This benefit must consist, in placing the future provision for the Clergy, if it be practicable, on some more eligible foundation than their present one from tithes in kind. But, as on the moving in Parliament of certain resolutions towards a general enclosure bill, it was doubted by a law lord in the highest official situation, whether it was possible to frame a bill for that purpose; so it may be equally doubted, from the variety of complicated interests and consequences in connection with tithes, whether it be possible for human wisdom and ingenuity to frame a bill for one general commutation of tithes.

The substitutes, most usually proposed, are a corn-rent, an equivalent income in money, or an equivalent in land.

The advocates for a corn-rent, argue for the expediency and fairness of establishing one in lieu of tithes, from the advantages which have accrued to our collegiate bodies by the introduction of corn-rents in Queen Elizabeth's reign. But there is no parity of circumstances in the two cases to admit of any analogy or comparison between them. The corn-rents, adopted by the collegiate bodies, went to convert a proportion only of a long fixed and permanent monied rent; but the establishment of a corn-rent, in lieu of tithes, would go to convert the whole of a present variable and increasing rent in kind, as it were. Nor does the

same cause operate now in respect to tithes, which operated in respect to the landed estates of the collegiate bodies: by the ruinous practice of taking large fines, instead of increasing the old reserved rents in money, on the renewals of their leases, they had anticipated their revenues to so great a degree, that it became necessary to establish a corn-rent to a certain extent, in order to preserve some part of their revenues for the benefit of their successors. On the contrary, in respect to tithes, no such anticipation of the revenue arising from them, can now be practised by the Parochial Clergy: and even of those tithes belonging to the ecclesiastical corporations, the only practicable anticipation of the revenue arising from them, bears no comparison to the anticipations of the collegiate bodies in Queen Elizabeth's time; since it is confined by statute to twenty-one years only.

On introducing a plan about twenty years ago for a commutation of tithes on the basis of a fair equivalent, the proposer admitted the difficulty of finding out that equivalent. "In treating on this "subject," says he, "it is to be lamented that the "minds of men have been, (particularly of late "years,) so prejudiced against the very nature of "tithes, that the idea of a fair equivalent has sel-"dom been thought of. They have been too fre-"quently looked upon as a kind of surreptitious "property, of which the owners might at any "time be dispossessed at the will of the State. "This kind of argument, instead of obtaining the "end proposed, must undoubtedly defeat it.

"There are many descriptions of property in "this kingdom much less capable of bearing a scru- "tiny into the means of its acquisition, than that "of tithes.

"But when that property has been guaranteed "to its possessors by the constitution and laws of "the kingdom, it is idle to dispute the legality of "the mode by which it was acquired.

"Not only that very great proportion of the "tithes of this kingdom which is in lay-hands, has "been sold and bought for a valuable considera- "tion, and many of the livings which still remain "to the Church have been as legally sold and "bought under the protection of the law, as any "other description of property whatever; but the "lands subject to those tithes have also been "bought at reduced prices on account of that en- "cumbrance, in the same manner as estates have "been bought subject to fee-farm rents, and "houses to ground-rents. And although all those "payments are encumbrances on the property of "one set of men, yet they constitute the property, "and frequently the only property of another set of "men; and the laws of England (whose first care "is the preservation of property, however it may "vary in description,) are equally bound to pro- "tect both.

"Whether the price of wheat alone be a pro- "per ratio by which to fix the value of all tithes, "is a matter deserving serious consideration.

"The writer of this, who has been long and "actively employed under enclosure acts, is of

"opinion that it is not; and, with all proper de-
"ference to the wisdom of the legislature, who
"have hitherto directed that ratio to be adopted,
"ventures to state the following reasons for his
"opinion.

"The tithes of this kingdom arise chiefly from
"the following articles, viz. wheat, barley, oats,
"pulse, &c.; hay, including clover, vetches, &c.;
"calves, and milk; wool, and lambs; underwood;
"pigs; poultry; &c.

"It is not only evident that the price of wheat
"does not govern the price of all the other tithe-
"able articles above enumerated, but it is as evi-
"dent, that the price of wheat fluctuates less than
"any other necessary of life, if taken on an ave-
"rage for any twenty years together; it having
"been the policy of the government of this country
"to keep the price of so indispensable an article as
"steady as possible, by importing it from all other
"countries when it is dear in this, and by giving a
"bounty on its exportation when its price at home
"is too low to pay the expense of growing it.

"And the effect of this policy has been such,
"that the price of wheat has been very little
"higher on an average of the last twenty years,
"than it was on an average of the twenty last
"years of the last (17th) century; while the price
"of barley and oats, cheese and butter, have nearly
"doubled.

"Any ratio for the tithes of the last-mentioned
"articles, which was settled in the last (17th) cen-
"tury, and deduced from the price of wheat

" alone, must therefore at this time be an unfair " commutation for the tithes of many other tithe- " able articles. And there is no fair ground on " which to argue, that the value of the last-men- " tioned articles, and indeed of all other produc- " tions of land, for which this kingdom must chiefly " depend on its own resources, may not hereafter " fluctuate as much as it has hitherto done; while " it is more than probable, that, by means of im- " portation, wheat may keep nearly its present " average price.

" No commutation for tithes can be called a fair " equivalent, which is not so settled as to fluc- " tuate with the rise and fall of every commodity " subject to tithes; so as to be in fact, a fair " yearly rent for each year's tithes, or as nearly " so as the nature of the case will admit. Some " standard, as simple in its operation as possible, " should be fixed upon, by which the owners of " the tithes may make such a commutation as will " ensure them and their successors, from year to " year for ever, the same income as would have " been received from the tithes themselves, in case " such commutation had not taken place *."

It is admitted, that the actual value of tithes increases in a greater proportion, than the rents of the titheable lands themselves: And, therefore, any commutation on the basis of the present value of tithes, cannot be a permanent equivalent for tithes in future: And, though tithes increase in value

* Bath Agricultural Society Papers, 1796, vol. viii. p. 243, 248.

more rapidly than the rents of lands from which they arise, there can be no more ground of argument, or of justice, in forcing a commutation of tithes on the tithe-proprietors, than there would be in one man's seizing, (because he was able to accomplish it,) upon the estate of a neighbour, because his neighbour's estate improved in value in a more rapid degree than his own. And, as the price of wheat is continually fluctuating, wheat, therefore, can never prove an adequate commutation for all other articles of titheable produce; many of which are frequently very high, when the price of wheat is low.

During the last century, until the times of scarcity, the average price of meat, butter, cheese, and every other species of grain, increased in a ratio far beyond the price of wheat. And, though the price of wheat of late years, has borne reference to the prices of a large proportion of the necessaries of life, it is not to be supposed, that it will oftener bear a comparative reference to the value or price of them, than in times past. Even, during the late very high price of wheat, though the price, or value of it in coin, enabled the receivers of that wheat or coin to purchase many articles without being sensibly affected by the encreased price of them, yet that wheat or coin was by no means adequate to the encreased price of an infinite number of other articles, no less necessary to the comforts and conveniences of modern days.

In a preceding part of this Essay, the average price of wheat, from 1697 to 1744, was stated at

£1. 15s. 11d. per quarter, or nearly 4s. 6d. per bushel: in which period, all the necessaries of life were at least 50 per cent, under the present lately reduced prices of many of them. And from 1745 to 1792, the average price of wheat increased to only £1. 16s. 8d. per quarter, or 1d. per bushel, though in the latter part of that interval the necessaries of life had greatly risen in price.

If a commutation of tithes for a corn-rent in wheat, had been effected at the beginning of the first of the two foregoing periods on the basis of the values of tithes and wheat at that date, what would have been the actual progressive situation of the income from such corn-rent, during the first, or the last half of the late century? Though the price of wheat fluctuates, indeed, at times, it varied a trifle only on the average of both periods, (so that the income from the commutation corn-rent would have therefore remained nearly stationary,) yet the comparative value of the corn-rent would have been progressively deteriorated in the first half century; and in the last it would have been reduced to below half its original value: that is, the produce of it, when converted into money, would have been incapable of purchasing barely half of those necessaries of life, which it had been heretofore adequate to procure.

And how greatly inferior would the produce of such commutation corn-rents have been to the value of the tithes (even without the improvements from common-field and waste lands,) so commuted, when compared with the value of such commuted

tithes at this time only, without any reference to the late enormous high prices of all articles of agricultural produce? The incomes of many livings from tithes a century ago, are readily to be ascertained, as well as the income they would now have been endowed with, had any commutation of tithes into a corn-rent taken place in them. But what comparison would such corn-rent, even perhaps at the late highest prices of wheat, bear to the real present value of the tithes of the parishes, in which any such commutation had taken place? Had the tithes been commuted at that period, even upon the most liberal terms, very few livings would now be worth the acceptance of any man, of whatever abilities, education, or rank in life: because, if it may be permitted to deviate from serious language on a serious topic, they would not afford him a living, but scarcely perhaps preserve him from starving.

To confirm the advantages resulting from corn-rents, the following observation is much insisted on: "The rents which have been reserved in corn, have "preserved their value much better than those "which have been reserved in money*." This may be true, though it afford no proof of the permanent equivalency of determinate corn-rents, in lieu of property always increasing in value. On the contrary, the gradual reduction in the comparative value of corn in England, for many centuries past, sufficiently shews, that no determinate

* Wealth of Nations, vol. i. p. 45.

corn-rents can ever be permanently equivalent, even supposing the property for which they were paid to be incapable of increased value. Nor could any determinate corn-rents, now to be fixed according to the prices of corn for late years, long remain equivalent, if that increase in the tillage, and consequent reduction in the price of corn which is so much promised on a commutation of tithes, should eventually take place.

In support, also, of the practicability and equity of establishing a corn-rent in lieu of tithes, the following assertion is no less eagerly brought forward. "No measure of such extensive concern "appears to me so practicable, nor any single al- "teration so beneficial, as the conversion of tithes "into corn-rents. This commutation, I am con- "vinced, might be so adjusted as to secure to the "tithe-holder a complete and perpetual equivalent "for his interest, and to leave to industry its full "operation and entire reward *." To have enabled this writer to have expressed himself so decidedly, it is to be presumed, that the species of

* Paley's Moral and Political hilosophy, 1787, vol. ii, p. 407. "The late Archdeacon of Carlisle has strongly re- "commended a corn-rent as a commutation for tithes in ge- "neral; but evidently without having considered, that by "endless calculations upon the rise and fall of grain, such "a mode would rather aggravate, than lessen the causes of "discontent. And a corn-rent, varying with the price of "grain, could not be applied with equity to a grazing "country, as the profit on cattle might be low, at a time "when the price of corn was high." Rev. H. B. Dudley on a Commutation of Tithes in Ireland, 1808, pp. 17, 19.

commutation, so positively recommended by him, must have appeared to him, on deep and mature consideration, to be devoid of every difficulty; and therefore it is to be lamented, that he had not enlarged upon the subject in the work before quoted, or in a separate publication.

However, the practicability, the equity, and the perpetual equivalency of a corn-rent in lieu of tithes, will not strike others in so forcible and clear a light. In every one of those respects, a commutation of tithes for a corn-rent is more or less objectionable: namely, from the very nature of tithes themselves; from the variety of rights to tithes in different parishes; from the variety of rights to tithes in the same parishes; from the extent of tithes in different parts of the same parishes; from the unsettled claims to tithes in many parishes; from the different qualities of soil, surface, and produce; from the variation in the value of tithes, from the same lands in different years, and under different cultivation; from the difficulty of fairly ascertaining the present or future actual value of tithes; from the difficulty of providing for the increase of tithes on the improvement of lands whether enclosed, common-field, wastes or commons; from the variation in impropriate parishes in the values of rectorial and vicarial tithes, on the conversion of arable lands to pasture, or *vice versâ*; from the difficulty of apportioning a corn-rent liable to such a variation in the right to tithes; from the great fluctuation in the prices of corn; from the great reduction in the price of

corn promised upon a commutation of tithes *; from the possibility of introducing a different species of bread-corn, or a substitute for bread, which may render wheat of little comparative value †; from the difficulty of ascertaining the just and true price of corn for settling the quantity of the commutation corn to issue out of each farm; from the unavoidable and infinite divisibility of such quantity on the subdivision of farms; from the trouble of collecting,

* If a commutation of tithes should actually be attended by any material reduction in the price of corn, it would be attended also, by a material reduction in the price of all other articles of agricultural produce, according to the old proverb, "Down corn, down horn;" and a reduction in the price of agricultural produce must occasion, likewise, a reduction in the rent and value of land. These circumstances are entitled to the serious attention of land-occupiers possessed of long leases, at high improved rents; and of land-proprietors in general, who may be inclined to favor a commutation of tithes.

† It must be in the recollection of many persons, that between forty and fifty years ago, the use of Siberian barley, in the article of bread, was strongly recommended by men of the first eminence in the medical and chemical professions: who, after a scientific analysis of that grain, were of opinion, that its component parts were highly wholesome and nutritious; and that, on the due manufactory of that grain into flour, bread might be produced from it, little if at all inferior to the common household bread, made from the usual mixture of several sorts of flour. But, through the combined effects of prejudice, interest, knavery, &c., the benefit, which might thus have accrued to the great mass of our population, was wantonly and injudiciously disregarded, in the opinion of more competent judges, than the writer of this note.

and the hazard of not receiving such corn-rents *; and from the knavery, artifice and collusion which would be practised, to enhance the price of corn previous to the settlement of a corn-rent, and afterwards to keep down the price previous to every settlement of the conversion price of that corn-rent.

The prices of corn, published by the Inspector of Corn Returns in the London Gazette, have been proposed as the basis for regulating both the commutation quantity, and the conversion price, of a corn-rent in lieu of tithes; but those returns afford no criterion to determine the real prices of corn †. It is well known, that those prices are calculated from, and depend upon the accuracy of returns to the Inspector, from men whose interest leads them to be inaccurate; and who therefore, from design or inadvertency, give themselves very little trouble in specifying either the precise quan-

* "Rent for tithes is never paid so ungrudgingly, as rent "for land: and rent to the Clergyman is still more grudged, "I believe, in most cases, than to the lay-impropriator; "though the former is admitted even by those who think the "least favorably of his function, to do something usually "for his 'hire,' and is seldom so high in his demand for rent "as the latter." York East-Riding Agricultural Report, 1812, p. 60.

† "The Corn Returns at present are in every degree in-"adequate to ascertain the prices of corn. Blanks, by reason "of no returns, are numerous; from some places, the same "prices have generally been transmitted; from others grossly "misrepresented." Young's Question of Scarcity, 1800, p. 71.

tity or price of the corn purchased by them. The fraudulent practices of corn-dealers, mealmen, &c. and the injurious effects of their dishonest combinations, are notorious; and notwithstanding the Legislature has made divers attempts, it has not yet been able to prevent the one, or obviate the other.

If tithes should be commuted into a corn-rent, this question, amongst many others, would probably arise. In parishes, at present denominated corn parishes, the quantity of the commutation-corn would be settled chiefly in proportion to the existing corn tithes of such parishes, and would so remain for ever, though such parishes might hereafter be converted into grazing parishes, and be thereby subject to a corn-rent equal to two or three times the value of their grazing tithes. And in parishes, at present denominated grazing parishes, the quantity of commutation-corn would be settled chiefly in proportion to the existing grazing tithes of such parishes, and would so remain for ever, though such parishes might hereafter be converted into corn parishes, and be thereby liable to a corn-rent, equal perhaps to one third or one half of the real value of their corn tithes.

Where, then, does the permanent equity of a commutation of tithes into a corn-rent exist, as it respects the land-occupiers in future times, and in cases which it is more than possible will ensue? or is a new settlement of the quantity of the commutation-corn to take place, upon every such change in the cultivation of a parish? And, if so,

in what manner would such an alteration essentially differ from tithes in kind, and compounding for them in money? And, if no such alteration in the quantity of the commutation-corn should take place, would the land occupiers in the original corn parishes be satisfied at such an evident inequality in the virtual payment for their tithes? Would they not, indeed, be aggrieved?

A commutation of tithes into a corn-rent has also been objected to, on the following ground. "Instances may be brought of livings that have "been exonerated by the above method (money "payments in lieu of tithes) within these few "years, being very considerably injured by it; "which has induced others, sensible of the impro- "priety of continuing so injurious a practice, to "substitute in its place a corn-rent: which, say "they, will always rise or fall in value with the ne- "cessaries of life, and of course cannot be subject "to the same objections. It must be confessed, "that this method carries the appearance of equity "and reasonableness along with it; but it will be "found upon a closer inspection, to be liable to "some objections, which, upon a first view of the "subject, do not seem to strike the attention.

"The people of this country, generally speak- "ing, cannot be brought to sufficiently understand "the nature of tithes; they are disgusted with "their very name, even in those instances where "they have no real cause to complain: conse- "quently, if it should be found advisable to abo- "lish them, it should be done in such a manner as

" not to leave even the most distant vestige that " can call them to remembrance again.

" But this desirable end cannot be effected by a " corn-rent; since, in curing the wound, it leaves " a most dreadful scar behind it. Prejudice can " seldom be subdued by reason, and the injury " that a man suffers in particular instances, is to " be estimated by his own feelings, and not by the " opinion of other men. If it were possible to " give candor its due weight, even such freehold- " ers as are inimical to tithes, would be compelled " to acknowlege, that they or their ancestors " bought their estates for a less sum of money on " their account; or if they were granted from " the crown, that they were given with these con- " ditions annexed to them: no man, therefore, is " injured by the paying of tithes, but by the man- " ner in which he pays them. If therefore in " order to encourage the progress of agriculture, " and prevent their being considered as at present, " a tax upon industry, the Legislature should fix a " corn-rent in lieu of tithes, and grain should rise, " as is the case at this time, beyond the average " from whence their value was taken, the farmer " will consider himself oppressed in paying so large " a sum; and if it should fall below the average, " the tithing man will receive less than he was led " to expect: not to mention the hazard of leaving " an opening for the most dangerous kind of col- " lusion between the patron and the incumbent; " where the former is the proprietor of the land, " and dishonorable enough to take the advantage

"of it. The idea of the monies being paid for "tithes remaining, no one can say, whether a corn-"rent in process of time, will not be considered as "equally oppressive. Will any person say, that "he can forget the subject of tithes while he is "continually put in mind of the payment of a sum "of money equal to, if not beyond their real va-"lue? A corn-rent, therefore, may prevent the "farmer from being insulted, but it will always, "like a feudal right, be considered as an act of "oppression *."

On comparing the prices, at which a large ancient corn-rent payable to an ecclesiastical body has been commuted during many years past, (which conversion prices were fixed according to custom by the average prices of wheat on the average of three market days preceding Christmas, at which time of the year corn generally bears the lowest price,) with the average prices of wheat, published in the London Gazette for the same county and month in each year, there may be observed such a very considerable inferiority in the latter prices as proves, that the returns from that particular county must have been most glaringly unfair. And without doubt, they would be found equally unfair throughout the kingdom, were similar comparisons made. What, then, might not be expected as to the accuracy of the corn returns, should the settlement and conversion

* An Address to the Board of Agriculture, by the Reverend S. J. Nash, p. 5.

price of many million bushels of corn be appointed to depend upon them; that is, when the quantity of the commutation corn-rent, and the conversion price of that corn-rent, should be exposed to all the manœuvres of the farmer, the corn-dealer, the mealman, &c.?

Upon this mode of commutation of tithes, it has been well observed, "In theory, the Clergy "would be much benefited; but I fear their si- "tuation would be little mended (I rather think "it would be much deteriorated) in fact. By "statute 18 Eliz. ch. vi., Colleges are already "compelled to take corn-rents, according to the "price, that wheat shall be sold for in the market "next adjoining to the respective colleges, on "the market day before the rent becomes due. "Now, Sir, I will look back no farther than to "Michaelmas, 1800, for an insuperable argument "against a commutation of tithes for corn-rents. "A short time previous to that season, the pres- "sure of scarcity had been severely felt in the "county of Oxford. The mob of Oxford itself "formed themselves into a kind of trained rabble; "and visiting all the neighbouring villages in rank "and file, compelled the farmers to sign an agree- "ment, by which they covenanted to bring their "corn immediately to market at a reduced price. But "notwithstanding this agreement, on that market "day which preceded the market day above men- "tioned in the statute of the 18th of Elizabeth, "and also on the market day which followed the "same, wheat was sold in Oxford market at

" £40 per load. On the intervening market day
" only, which was by law appointed to be the day
" for settling the amount of the corn-rents, the
" farmers, under the plea of complying with the
" mob, brought a small quantity of wheat to market
" at £23 per load. Observe, Sir, the enormous
" villainy of this proceeding, and the facility with
" which the statute was evaded. To my certain
" knowlege, the difference in annual income, by
" this infamous piece of roguery to one College
" only, was little short of £700. Is it then, let
" me ask, is it a consummation with any devotion
" to be wished, that the present revenues of our
" Clergy should be exchanged for corn-rents?
" And, if corn-rents, the least exceptionable of
" all modes, prove so ineffectual, what will it be
" possible to substitute for tithes, which will in
" any degree justify the commutation *?"

The foregoing objections, with many others which will suggest themselves to the minds of those who more deeply consider the subject, surely present sufficient evidence to every candid and dispassionate inquirer, of the impracticability, the unfitness, and the non-perpetual equivalency of a corn-rent in lieu of tithes.

If it be proposed to give the Clergy, in lieu of their tithes, an income arising from money, it may be attempted to set off that proposal by the artificial gloss of some doceur, or immediate addition to their present income. Various calculations and

* Anti-Jacobin Review, vol. vii. p. 342.

statements to this purpose, have been given to the public; but, whatever may be the amount of such monied augmentation, the benefit of it will be, as it were, temporary only, unless some provision be made for the progressively increasing continuance of it. For instance; supposing the present income of the existing Clergy to be £100 per annum, and on a commutation of tithes, to receive an immediate monied augmentation of even fifty per cent.; yet, in the course of half a century, the advantage of such augmentation would become virtually annihilated, by the increased price of the necessaries of life; which, from the experience of past years, may probably be stated at the increase of fifty per cent. in every fifty years. It is true, that the Clergy at the end of the fifty years would have an income of £150, instead of £100. But what is contended for here, is, though the Clergy at the end of the fifty years would have an income of £150, instead of £100; nevertheless that £150 would not then purchase a larger quantity of the necessaries of life, than £100 would have done fifty years before: so that at the end of fifty years, the Clergy would be exactly in the same situation in respect to the comparative amount of their income, as they were at the period of receiving any such augmentation. If, then, the benefit accruing from so large an augmentation as fifty per cent. would disappear so early, surely the possibility of any inferior augmentation of five, ten, fifteen or twenty per cent. ought not to have any influence on men, who recollect that they are to

act as not living for themselves only, but for all those likewise who in succession, may enjoy their preferment.

If it be proposed to give the Clergy an income arising from money, equivalent only to their present income from tithes, the great and progressive increase of their income from tithes in kind, which is obvious from the comparative values of livings in the King's Books, with their actual value in the present days, undeniably proves, that no determinate compensation in money, (whatever may be the immediate amount of it, or be it even accompanied by an augmentation,) can be permanently equivalent to their income from tithes in kind; because, whilst money must necessarily decrease in value, tithes in kind must as necessarily increase in value.

To illustrate this point more particularly. Suppose tithes in kind had been abolished at the era of the Reformation, and the incomes of the Clergy had been fixed at certain monied payments, such as the value respectively annexed to livings in the King's Books, and even with an augmentation of fifty per cent.; so that a living valued in the King's Books at £10, would have been settled at a permanent monied income of £15 per annum. It appears from the King's Books*, that 1,556 rectories, vicarages, &c., possibly on account of their inconsiderable value, were omitted in the valuation of the King's Books: next to these, are 939 in

* Liber Regis, by Bacon, 1786.

charge, not exceeding £5 per annum: after these, are 3,618 above £5, and not exceeding £10 per annum: and after these, 1,947 above £10, and not exceeding £15 per annum. And to these four classes are to be added a fifth, comprehending all the remaining livings in value in the King's Books above £15 and upwards: of which, a small proportion only are valued at above £40. This class, containing 2,145 livings, makes the whole number of parochial benefices, at the date of the valuation, to have been 10,205. And, as their aggregate valuation, (estimating the 1,556 rectories, &c., never in charge, at £2. 10s. per annum each, being the medium value under £5,) scarcely amounts to £113,000, the average value of each parochial benefice at that time barely exceeded £11 per annum.

Thus, if an abolition of tithes had taken place nearly three centuries ago, and a monied income, augmented with fifty per cent., had been given in lieu of the tithes so abolished, the average income of all the parochial benefices in the kingdom, including even the supposed augmentation of fifty per cent., would not at this time have much exceeded £16. 10s. per annum. And of these, if we admit every benefice in the four first classes to have been respectively and fully equal to £2. 10s., £5, £10, and £15 per annum, only 1,947 would have been of the value of £22. 10s.; 3,618 would not have exceeded £15; and 939 would not have exceeded £7. 10s.; and 1,556 would have been, perhaps; always under £5 per annum.

Hence, then, 8,060, or four-fifths of the parishes throughout the kingdom, must have been gradually deprived of all religious service and instruction, from the progressive diminution of the parochial incomes, and the consequent poverty and beggary of the Clerical profession. But, on the contrary, the incomes of all such livings having been wisely and happily continued to arise from tithes in kind, they have increased in various proportions, according to peculiar situations and circumstances: so that the possessors of the highest class of them enjoy a comparatively decent maintenance for themselves and families, though far from adequate to their appropriate rank in life; and the possessors of even the lowest classes, though pining in want, have not deserted either the service of the church, or the religious instruction of the people committed to their charge.

And even supposing it to be proposed, from just and prudential motives, in order to secure the future due support of the Clergy, that the monied income to be given them in lieu of tithes, should not be fixed at any determinate invariable amount, but on some basis by which it might be periodically or progressively advanced; yet still a commutation of tithes founded upon the principle of an income in money, would nevertheless be inequitable in limine, and therefore incapable of solid defence: because, as before observed, it would be a compulsory exchange, without the consent of the proprietors, of a landed property at all times immoveable and permanent during the natural ex-

istence of the kingdom, for a property always lessening in value, uncertain in its duration, and absolutely depending on the prosperity and political existence of the kingdom *.

" It is from our attachment to a Church Establishment, that the English nation did not think " it wise to intrust that great fundamental interest of the whole to what they trust no part " of their civil or military public service; that is, " to the unsteady and precarious contribution of individuals. They go further. They certainly " never have suffered, and never will suffer, the " fixed estate of the Church to be converted into a " pension, to depend on the Treasury, and to " be delayed, withheld, or perhaps to be extinguished, by fiscal difficulties; which difficulties may sometimes be pretended for political " purposes, and are in fact often brought on by " the extravagance, negligence, and rapacity of

* " What would you degrade the Ministers of Religion " into pensioners of State," says an animated writer, " into " mere puppets of the Minister? Would you condemn them " to a precarious dependence on the annual bounty of the " Nation? Would you hang their fate on a land-tax, or " any other tax, which may be reduced, repealed or applied to the public service, in times of difficulty and distress, at the caprice of an unprincipled Minister? Would " you support them by taxes and pensions, and call these an " equivalent for their tithes, cloathed as they are with all the " proud attributes of property? I would not call this an " equivalent, but I would stile it, ruin in its first stage, " and in rapid progress to its last." Commutation of Tithes in Ireland before cited, p. 51.

" politicians. The people of England think, " that they have constitutional motives, as well as " religious, against any project of turning their " independent Clergy into Ecclesiastical pen- " sioners of the State. They tremble for their " liberty, from the influence of a Clergy depen- " dent on the Crown; they tremble for the pub- " lic tranquillity, from the disorders of a factious " Clergy, if it were made to depend on any other " than the Crown.

" From the united considerations of Religion " and constitutional policy, from their opinion of " a duty to make a sure provision for the con- " solation of the feeble, and the instruction of " the ignorant, they have incorporated and iden- " tified the estate of the Church with the mass of " private property, of which the State is not the " proprietor, either for use or dominion, but the " guardian only and the regulator. They have " ordained, that the provision of this establish- " ment might be as stable as the earth on which " it stands, and should not fluctuate with the " Euripus of funds and actions*."

And if the plan formerly in contemplation, for securing to the Clergy a monied income arising from the interest of national funds to be created by the sale or redemption of their tithe property, shall ever take place, a large proportion of the national debt will immediately become perpetual: and the portion of the interest intended

* Burke's Reflections on the Revolution in France, p. 149.

to be set apart annually for the progressive increase of the Clergy's income, will gradually add to it, and be converted into an irredeemable debt; and which, without a dereliction of the primary principle of the plan, will go on increasing, and in process of time call for new taxes to discharge the growing interest of it. And thus, instead of a diminution or cessation in the public burthens, and a reasonable and permanent reduction in the price of the necessaries of life, we shall have to look forward to a continuance of them; after a war, which has required a heavy and unavoidable increase of taxes, and in which we were compelled to engage for the defence of our constitution, our liberty, our property, our religion, and even life itself; and all which, by the blessing of God on the wisdom of our Governors, on the abilities of our Commanders, and on the bravery of our fleets and armies, we have been enabled most gallantly and effectually to defend, through the loyalty, spirit, and united exertions of the people.

If it be proposed to give the Clergy an equivalent in land in lieu of tithes, it may be remarked, that there have prevailed the most discordant opinions on the propriety and practicability of such a substitute. Some have strongly recommended and insisted upon the adoption of it, as the only just, proper, and practicable mode of proceeding between the land-holder and the tithe-holder, as beneficial to the community at large, and as creditable to the national religious establishment. Others, again, have as strongly insisted, that a general and

equitable landed commutation throughout the kingdom, is altogether impracticable; and they have strenuously protested against it, as injurious to the individuals concerned, and to the welfare of the community, and, in the end, the bane of religion.

It has been successfully demonstrated *, that considering the different nature and fertility of soils, and their different cultivation and produce, it is impossible to affix any general proportion of land, as an equivalent for tithes, without its being highly injurious on one side or the other, and, with few exceptions, most commonly on that of the landholder †.

In reference to a commutation of tithes for Land, a late writer observes, that "the great variety of soil and produce, presuming that our agriculture would permanently continue in a nearly similar state, would be productive of no effects, materially objectionable: but since great

* Observations on an Inquiry into the Advantages and Disadvantages resulting from Bills of Enclosure, with Calculations shewing the Loss inevitably sustained by the Laity wherever Lands are given in lieu of Tithes, 1781, p. 58—79, and Appendix.

† "Many people think, and some act upon the principle, that it is better for ever to pay tithes in kind, than for ever to give up so large a portion of the land; the inconvenience of having the tithe abstracted, may be, and frequently is, got over by a friendly and fair accommodation with the Clergyman, but nothing can ever remove the evil of the loss of so much land, either to the proprietor of the soil or the public." York East-Riding Agricultural Report, 1812, note, p. 56.

" vicissitudes and changes, from the instability of
" human affairs, necessarily take place in the cul-
" tivation of land, there are circumstances and
" cases, in which reasonable complaints could be
" allowed no remedy. I do not reckon among
" these the great transfer that might take place of
" grazing to arable land, or vice versâ, between
" which there is so obvious a difference, in the
" present value of tithes: Since, under the ge-
" neral destruction of tithe, any excess or defi-
" ciency, either of tillage or pasture, would with-
" out serious inconvenience or injury, naturally
" produce its own level. But there are other
" cases, in which these objections appear to me
" unanswerable. I will cite two instances only,
" which will apply to all other, in which the capi-
" tal of the farmer is employed in the same ex-
" pensive system of culture. I cite these, because
" the tithe of the one is (or not long since was)
" taken in kind: of the other, by a composition
" with the farmers for a short term of years. The
" former is the parish of Farnham in Surrey, in
" which there is an extensive plantation of hops,
" most highly productive. It sometimes happens,
" that a single acre of hops produces a value of
" £100, or £150; sometimes to the very heavy
" loss of the cultivator, it produces nothing. The
" value of the produce too, is not only precarious,
" but in some measure fictitious. It is dependent
" partly on reputation; partly, on the superior
" mode of management. The hops grown here
" are not so intrinsically strong in bitter flavor, as

" the hops grown in Kent. The more, therefore,
" the value of the present produce is enhanced by
" such adventitious circumstances, the greater
" would be the injustice of compelling the present
" proprietors to purchase an estate, equal in annual
" value to the present tithes. The other instance
" I shall adduce, is that of East Farleigh, a small
" parish in the county of Kent, in which the tithe
" is paid by a composition with the landholders for
" a short term. The living produces to the Vicar,
" a nett annual income of £900. Of this amount,
" 400 acres, (or I believe rather more,) principally
" consisting of hop plantations, and partly of
" orchards, tithed at £1. 11s. 6d. per acre, produce
" £630. Is it possible, I ask, that because of the
" actual existence of a plantation, so fluctuating
" and precarious, which from accidental circum-
" stances has swelled into an extent, containing
" three times the number of acres, which, in the
" memory of those now living, it formerly did, and
" in which, it is probable, that within another cen-
" tury, there will not be a third part of the num-
" ber: Is it possible, that so small a parish can be
" required in lieu of its vicarial tithes, to purchase
" or appropriate an estate, worth, clear of all ex-
" penses, £900 a year? How many years for-
" ward we might go, is uncertain; but back to a
" very distant period, certainly not, when the
" whole rental of the vicarial land was not equal
" to such an amount. To compel the present
" possessors, upon such an uncertain tenure, to
" surrender as it were the inheritance of their pos-

"terity, would appear to me an intolerable act of "injustice. And it requires more ingenuity than "I possess, even to conjecture, in what way so "striking a difficulty can be obviated*."

And, if a landed commutation would be attended with such injurious consequences on the part of the land-holders, it is not difficult to shew that it would be attended by others infinitely more injurious on the part of the Clergy.

Exclusive of the evils resulting to religion, from the adoption of any plan tending to degrade the parochial Clergy, and reduce them to the rank and occupation of farmers, the personal injury which they would in all probability sustain in their incomes by an equivalent in land in lieu of tithes, has been enlarged on and demonstrated by both Laymen and Ecclesiastics.

"If there were no objections to land being in "mortmain, there would still be many on the part "of the Clergy, to whom another kind of provision "might be better suited. They have not often the "means, nor are they always intelligent in the "management of land: it requires an expense "beyond what can be repaid to them, to put into "the most productive state those lands, which "would be liable to great abuse and neglect; "especially as the tenure would not be such as to "encourage improvement, every new Incumbent "being different from an hereditary possessor, who

* National Establishment, National Security: or Thoughts on the Consequences of Commuting the Tithes, by the Reverend William Edmeads, 1816, p. 5.

"has a permanent interest in encouraging his "tenants *."

"From various discussions on this subject, (the "commutation of tithes,) land has been fixed upon, "as the nearest adequate substitute for tithe. "This, under new Enclosing Bills, has taken place "to advantage †, and may probably be extended. "But the difficulty of setting out land in old en- "closed parishes, to the satisfaction of contending "parties, is often insurmountable. And, if done, "the future increase of dilapidations, to the family "of a late Incumbent, and the necessary increase "of a capital, and skill in husbandry, to his suc- "cessor, are objections formidable and valid, to "such commutation in general ‡."

"One-fifth of the arable, and one-ninth of the "pasture, is by no means adequate or equal to the "value of tithes. Where lands have been ex- "onerated from tithes by an Act of Parliament, "and an allotment made in land in lieu of them, "even where an adequate value has been given, "which in no instance which has fallen within my "notice, is really the case, it is throwing too much "land into mortmain; it is subjecting the Incum- "bent to all the cares and encumbrances of landed

* Lord Sheffield on the Deficiency of Grain, 1801, p. 221.

† However on the contrary, says a Reporter, "It must "be confessed, that inconveniences and losses have oc- "casionally resulted to the Clergy, though perhaps in com- "mon with other proprietors, in consequence of enclosing." Bedford Agricultural Report, 1808, p. 38.

‡ Suffolk Agricultural Report, 1797, p. 289, note.

" property, and driving him to the necessity of
" becoming a farmer, for which he is often ill
" qualified, or of letting his lands, according to the
" existing laws, on such conditions, that improve-
" ment must be checked, and industry languish *."

" The question of commuting tithe for land
" has been much agitated within the remembrance
" of the youngest amongst you: and happy, in my
" opinion, would it have been for the parochial
" Clergy, where the commutation has taken place,
" had it been canvassed earlier. The respective
" merits would have been then better understood,
" and the Clergy less hastily induced, by the spe-
" cious appearance of an increased income, which
" could in general be but of short duration, to ex-
" change tithe, sanctioned by immemorial usage;
" confirmed by a series of legal decisions; the
" benefits of which they had for centuries experi-
" enced; for a provision, at its commencement
" precarious and uncertain, the inconveniences of
" which remain unfelt in their full extent to the
" present hour; but which, unless greatly deceived,
" I fear, will ultimately be felt in the severest de-
" gree.

" The only argument in support of the com-
" mutation, which has an air of plausibility, is,
" that it cuts off all occasion of dispute between a
" Minister and his Parishioners. Were esteem,
" harmony, and affection, (so essential to the in-
" struction of the first, the benefit of the last, and

* Berks Agricultural Report, 1809, p. 94.

" the comfort of both,) unattainable on any other
" plan, there is no sacrifice which should not gladly
" be made to secure them. But, may it not be
" asked, whether this argument has not been urged
" too far on one side, and too easily admitted on
" the other? Clamor was raised on this plea, and
" like all unfounded popular cries, has died away.
" The truth is, that the circumstances of the Clergy
" in general must ever render them contented with
" a moderate composition. They rarely have re-
" course, uncompelled, to what they can but ill
" bear, the heavy expense of litigation. A well-
" known fact corroborates this assertion, and as-
" certains, that when dragged to the Courts at
" Westminster, the decisions in their favor have
" been in the proportion of six to one.

" The advantages of tithe to such a body of
" men as the parochial Clergy, are too well known
" to require a distinct enumeration. The dis-
" advantages which, after a certain period, must
" accrue from the commutation, have not been
" sufficiently adverted to. And as application to
" Parliament for bills of enclosure or partition still
" continue, and, I hope, will long continue to
" take place in this diocese, I hold myself bound
" to hint, for it would carry me too far to fully
" state, what I conceive some of those disadvan-
" tages are.

" By exchanging such a right as tithe for land,
" the Incumbent subjects himself and his suc-
" cessors to all the burthens of landed property;
" in which he has only a tenure for life. Repairs,

"and in process of time most heavy repairs, on "buildings and fences from which he was before "exempted; losses by bad and insolvent tenants; "a mismanaged and exhausted soil, are among the "certain consequences of his ill-judged choice, "even to himself. But they must sooner or later "inevitably fall on his successors; leaving them "in the possession of a farm, perhaps constituting "their sole subsistence, without money to stock, "or experience to manage it; and which, were "the occupying it by the Clergy to become uni-"versal, would prove the bane of letters, science, "professional studies, and religion *."

In allusion to this quotation, and in confirmation and further illustration of the disadvantages to the Clergy of an equivalent in land in lieu of tithes, a writer in the papers of an agricultural society says, "The Lord Bishop of Salisbury, (now Bishop of "Durham,) has shewn, with great strength of "argument, that such a commutation is by no "means eligible. The habits of life in which "the Clergy are educated, and the important "office they fill, are ill-suited to the occupation "of a farmer. The expense requisite to stock a "farm, would to many be a serious objection. If "we consider land so taken away as only a "property to be let, the most desirable circum-"stance would be for it to lie compact, and as near "the buildings as possible. In extensive parishes,

* A Letter to the Clergy of the Diocese of Sarum in 1790, by Bishop Bartington, then Bishop of Salisbury, before cited, p. 24.

" where there are numerous small estates, this ob-
" ject is unattainable. The equivalent in land
" must in such cases lie in very small parcels, ex-
" ceedingly dispersed, and be difficult to let to
" proper tenants at a fair value. A balance must
" be struck on each estate, and fences raised at a
" great expense. Such parcels as would be eligible
" for the rector to receive, the land-holder cannot
" always give, without deranging the general eco-
" nomy of his farm. Even in those parishes
" where the property can be given and received
" with conveniency, and let to one tenant, he is
" liable to misfortune and failures, which would
" render the Clergyman's support more precarious
" than on the present establishment. The know-
" lege of soils and their uses, requisite for framing
" covenants for the preservation and proper ma-
" nagement of landed property, will frequently be
" wanting in the Clergy. And the probability that
" a successor will find the land neglected or ex-
" hausted, the fences destroyed, and the buildings
" in ruins, will not be doubted by such land-
" owners as have declined to renew with their life-
" hold tenants, and suffered their property to fall
" into hand *."

" Whoever is at all acquainted with agriculture
" either in theory or practice, must be well aware
" that the profits of farming, whatever may be the
" soil, mainly depend on the skilful employment of
" an adequate capital. The grateful return of the

* Papers of the Bath Agricultural Society, vol. iv.

" land for care and culture, is as well known to
" farmers as the bounty of nature. Without ca-
" pital and cultivation, the richest soil may be use-
" less to the owner; and with them, the poorest
" soil productive. And what are the best means,
" or rather what is the only motive that will in-
" duce a farmer to embark his capital in the land
" he uses, or exert his best efforts to obtain from it
" all that it is capable of yielding? To this I
" answer, certainty of possession: without which,
" no man will farm prospectively; and unless he
" does, no man will farm advantageously. In this
" point of view, how stands the appropriated es-
" tate of the beneficed Clergyman? It is a life
" estate, and a life estate of the worst possible
" kind. The present possessor can have no tie or
" motive to guard and preserve the interest of his
" successor; the tenant can have no assurance
" and little hope, that he shall reap the fruits of a
" provident expense or industry; since the next
" incumbent must necessarily be an unknown
" stranger. Thus the landlord has no sympathy
" or interest, in the welfare of his successor: the
" tenant is liable at six months notice, on the death
" of the incumbent, to be deprived of his farm.
" An estate so circumstanced, would probably,
" after a short tenure, be in a continual state of
" empoverishment or exhaustion; and when (as
" the farmers term it) run out, it would necessarily
" require a great expenditure to restore its vital
" spirit. Consequently, the annual value would
" soon be considerably reduced; and it is not im-

" probable, that after a few years, in most in-
" stances, these life estates, from this and other
" causes, would not be worth more than two-thirds
" of their original estimate *."

In proof of the evil consequences, which have already and may hereafter result to the parochial Clergy from the general or partial adoption of a landed commutation of tithes, the following letter is highly apposite and illustrative.

March 4, 1815.

" At your request, I send you the principal par-
" ticulars relating to the commutation of tithes in
" my parish of ————; which was taking place
" on my succession to the living in 1799. As rec-
" tor, my predecessor was entitled to all tithes in
" kind; and he had compounded for them in his
" past incumbency at about £300 per annum.
" The extent of the parish, according to the Sur-
" veyor's map, exclusive of the ancient rectorial
" glebe, was 1,080 acres arable, 1,620 acres mea-
" dow and pasture, and 300 acres commons and
" waste: in all, about 3,000 acres. The commu-
" tation estate, at one-fifth of the arable or 216
" acres, at one-seventh of the meadow and pasture
" or 231 acres, and at one-ninth of the commons
" and waste or 33 acres, amounted to about 480
" acres. This land was set out together, in a situ-
" ation convenient for the occupation of myself

* National Establishment, National Security, &c. just cited, p. 11.

" and successors, and was well ring-fenced with a
" living hedge. A neighbouring land proprietor
" and occupier offered for it £500 per annum, on
" a lease for fourteen years, which, by the enclo-
" sure act, I was empowered to grant; and he
" covenanted to subdivide the land into proper-
" sized fields, and to erect all necessary buildings
" thereon. I accepted the offer, as it made a con-
" siderable improvement in the income of the liv-
" ing, without any expense or trouble on my part;
" and I have had no cause to complain of the con-
" duct of the tenant or commissioners, in any
" particulars relating to the commutation: they
" were all honorable men. But notwithstanding
" my commutation land or estate is in an equal
" state of cultivation with the other parts of the
" parish, and of the adjoining parishes; and it is
" known that my tenant's lease is expiring at an
" early period, and that his family (for he has been
" dead about four years) have intended to retire
" from all farming concerns, I have had one offer
" only made for the estate, and that soon after
" my tenant's death, at the same rent of £500 per
" annum, subject to my incumbency: which is less
" than 21s. per acre, when all the other farms in
" the parish, equally tithe-free, were then and are
" now reletting at an advance of full fifty per cent.
" or about £1. 11s. 6d. per acre on the average.

" I have been well satisfied with the rent hither-
" to paid by my tenant; and I have good reason
" for believing him to have been well satisfied also
" with his lease, and to have been well remune-

" rated for all the covenanted extra expenses under
" it, through the very high price of the products
" of agriculture.

" I am told, that the great objection to my ob-
" taining an equal advance in rent with other
" landed proprietors, is founded on my inability to
" grant a term certain in the estate, though I am
" barely turned of forty-two, and would covenant,
" on my avoiding the rectory during any term
" agreed on, to make a proper compensation to a
" tenant for any extra expenditure. I fear, there-
" fore, that I must turn farmer without a taste for
" it, but not without a considerable share of prac-
" tical knowlege in farming concerns, as you
" cannot forget that I was brought up at the feet
" of a Gamaliel in agriculture. My terms for the
" estate are £630 per annum, for a lease of four-
" teen years, subject to my life, and the before-
" mentioned covenant on avoidance. This price
" cannot be deemed extravagant, being little more
" than 26s. per acre; and in accepting it, I should
" give up above 5s. per acre, as a consideration
" for the contingency of my life.

" I am not only thus injured by the unfairness
" of the proposed new rent, but likewise by the ef-
" fects of the commutation itself in lieu of the
" tithes of my parish. My neighbouring Rectors
" are at this time in the receipt of from 4s. to 6s.
" per acre, as a composition for all the great and
" small tithes, due in kind, in their parishes. The
" medium of these two compositions, or 5s. per
" acre, would raise the income of the tithes of my

" living (had they not been commuted) at 2,700
" acres of cultivated land, to £675 per annum.
" And how inconsiderable is the amount of this
" composition, when compared with the actual
" value of the tithes of 2,700 acres of cultivated
" land, in the usual proportions of two-fifths arable,
" and three-fifths meadow and pasture? Admitting
" their agricultural produce to be equal to only
" £4 per acre on the average, my fair claim to
" tithes at a composition is 8s. per acre, and would
" create an income of £1,080 from my parish, if
" my tithes had not been commuted. And, though
" this amount far exceeds any rent I can expect
" for my commutation estate, I am persuaded, that
" I should be enabled to nett it on taking my
" tithes in kind, and after deducting the expense
" of collecting, and of all parochial out-goings.

" This is the situation of a Rector, who has had
" honorable men to deal with. What then will
" or may be the situation of others, who shall have
" experienced, or may experience, every species
" of chicanery, fraud and injury, consequent upon
" the generality, I may say, upon almost every
" job of an enclosure? Jobs they are in their de-
" sign, and in their execution: the public welfare
" may plausibly and ostentatiously be holden out
" as a lure; but private interest is the actual and
" sole foundation of them.

" The injury sustained by myself and successors
" as Rectors of ——, is similar to the comparative
" injury sustained by my friend —— and his suc-
" cessors in the Vicarage of ——. Soon after

" his accession to it many years ago, he agreed to
" a commutation of the vicarial tithes, under a
" proposed Enclosure Act, conceiving that such
" a measure would prove highly beneficial to him-
" self and successors. His tithes comprehended
" all the small tithes of the parish, in kind; (the
" impropriation extending to corn and hay alone;)
" and he had compounded for them, on a small
" advance of his predecessor's composition, at
" £270 per annum. The parish, according to the
" Surveyor's map, exclusive of the impropriate and
" vicarial glebes, contained 2,905 acres arable,
" 4,197 acres meadow and pasture, and 511 acres
" commons and waste: in all, 7,613 acres. The
" commutation land or estate allotted to the im-
" propriator and Vicar, at one-fifth of the arable
" or 581 acres, at one-seventh of the meadow and
" pasture or 600 acres, and at one-ninth of the
" commons and waste, or 54 acres, amounted to
" 1,235 acres; of which one-third, or about 411
" acres, was allotted to the Vicar, in lieu of all his
" vicarial tithes. This allotment was in one piece,
" and was ring-fenced with a living hedge. My
" friend, being a young man with some private
" fortune, was tempted by the convenience of the
" allotment for his occupation, to keep it in his
" own hands; but after a great expense, in sub-
" dividing the land with quickset hedges, in erect-
" ing proper buildings on it, and in various works
" and improvements upon it, he was necessitated
" to let it to a tenant, on a lease for fourteen years
" (under an especial clause in that parochial

"Enclosure Act) for £380 per annum. That "term expired in 1810; and though the vicarial "commutation farm was in equal good condition "with the contiguous and neighbouring farms, he "was obliged (through the want of better offers) "to grant a new lease (subject to his life, and on "his avoidance, to a covenant in favor of the "the tenant,) at the low rent of £400 per annum, "notwithstanding the farm was situated very near "a populous and manufacturing town, and all "other tithe-free farms, in the same parish and in "those adjoining, were letting at from 35s. to 40s. "per acre.

"Had my friend, who was not sufficiently atten- "tive to the interest of himself and his successors in "vicarage at the time of the commutation pro- "posal, continued to receive his tithes by com- "position, he would now have enjoyed an income "from them of above £530 per annum; that is, "at the rate of composition usually paid in the "neighbouring parishes for similar vicarial tithes, "namely, 1s. 6d. per acre, on the average of "arable, meadow and pasture lands.

"If this long letter should be serviceable to your "proposed publication, you are at liberty to print "the whole or any part of it, omitting the names "of persons and places for obvious reasons."

And to the injurious consequences already detailed, resulting from having a presumed equivalent in land, in lieu of tithes in kind, and which must be woefully experienced by the Clergy at an

earlier or later period may be added the following serious and pertinent observation of an anonymous writer on the subject of a landed commutation of tithes, that "the property of the church would "hereafter be exposed to no inconsiderable danger; "as its landed peculium would, in any distresses of "the state, present to a needy and unprincipled "Minister, an obvious and easy method of relieving "them *."

Besides, with all deference to superior legal inquiries, and with all respect and obedience to the wisdom and authority of the Civil and Ecclesiastical Head of the realm, it may be asked, whether any alteration in the revenues of the Church will be consistent with the tenor of the coronation oath; by which the King has solemnly engaged "to "maintain to the utmost of his power the laws of "God, the true profession of the Gospel, and the "Protestant and Reformed Religion established "by the law; and to preserve unto the Bishops "and Clergy of the realm, and to the Churches "committed to their charge, all such rights and "privileges as by law do or shall appertain unto "them, or any of them.

An able political writer, in reference to this subject, says, "I once heard it roundly asserted, "that if the Houses of Lords and Commons should "agree on a Bill for subverting the Protestant "Establishment in Ireland, his Majesty, notwith-"standing his coronation oath, would be bound

* A Plan for a general Commutation of Tithes, 1795, p. 10.

" to give it the royal assent, and thereby establish
" it as a law: because his coronation oath in all
" particulars is so to be construed, that it is not
" binding against the opinion of the two Houses.
" I can never agree with such reasoning. I can-
" not find any such saving in the coronation oath;
" and I never can allow, that the two Houses of
" Parliament have any such power, as that of dis-
" pensing with the obligations of oaths: I believe
" and hope, that the Parliament never will assume
" the power arrogated by the Pope, which is so much
" and so justly reprobated by all good Christians.
" And as his Majesty is bound by his Coronation
" Oath, inviolably to maintain the Protestant re-
" ligion as it is now established in Ireland, so is
" he bound to resist all concessions of privileges
" to any class of his subjects, which would impair
" or weaken that establishment; though perhaps
" they would not be at first attended, or imme-
" diately followed, by it's total subversion."

Again, " In the act of ratifying the Union of
" England and Scotland, two Acts of the respective
" Parliaments of the two nations are recited, the one
" providing for the perpetual establishment and
" maintenance of the Presbyterian Church in Scot-
" land, the other for the perpetual establishment
" and maintenance of the Church of England, in
" England, Wales, Ireland, and the Town of Ber-
" wick upon Tweed: and these two acts are there-
" in declared to be fundamental and essential con-
" ditions of that Union." And in another passage, speaking of this Union, he says, that " Sir Wil-
" liam Blackstone observes on this Act of Union,

" that any alteration in the Constitution of either " of these Churches, or in the Liturgy of the " Church of England, would be an infringement " of these fundamental and essential conditions, " (the perpetual establishment of the Churches " of England and Scotland as settled previous to " the Union,) and greatly endanger the Union *."

Should any unforeseen imperious circumstances occur, and bear down with their accumulated weight all distinctions between right and wrong, (an event not very likely to happen in the existing civil, moral and religious state of the kingdom,) and an abolition of tithes should be forcibly impelled on the Parochial Clergy, whatever might be, in such an extreme case, the appointed source of their substituted future income, the amount of that income certainly ought, on every principle of equity and justice, to bear reference to the increased and increasing price of the necessaries of life, and to the ratio of that increase of income, experienced by the Parochial Clergy from tithes in kind, during nearly the last three hundred years.

At the Reformation, the aggregate income of the Parochial Clergy, as hath been just stated, was about £113,000 per annum; and, as their present aggregate income has been stated in the fifth chapter at about £2,557,000, it appears, that their income has increased in the last three centuries in the proportion of almost twenty to one: And, therefore, in the event of any abolition of

* Dr. Duigenan's Fair Representation of the present State of Ireland, 1799, pp. 101, 184, and 42.

tithes, the Parochial Clergy would be most justly entitled to a similar progressively increasing income, in all succeeding times.

The increased price of the necessaries of life within the before-mentioned period, is obvious from the comparative amount of the pensions and allowances given about the time of the Reformation, to religious persons and literary men, and also in reward for eminent personal services. The pensions to the religious men, who were forced into the world on the suppression of the monastic foundations, were in general £6. 13s. 4d. per annum *, though according to their past conduct, and to the situations and superior ranks which some of them had possessed in their respective societies, their pensions were much increased: And the allowances made, to literary men to enable them to devote their whole time to the prosecution

* Burnet says, "Generally the Monks had eight marks a "year pension, till they were provided for. The Abbots' "pensions were proportioned to the value of their house, "and to their innocence. The Abbots of St. Alban's and "Tewkesbury, had 400 marks a year apiece. The Abbot "of St. Edmundsbury had 500 marks pension. And for "their inferior officers, some had 30, some 10 or 8, and the "lowest £6 pension." But from the pensions allowed to the Abbot, &c. of Tewkesbury Abbey, whose nett income amounted to nearly £1,600 per annum, a judgment may be formed of the pensions in general. "The Abbot had £266. "13s. 4d.; the Prior £16.; the Priors of Delchurst and "St. James's £13. 6s. 8d. each; the Prior of Cranborne and "Robert Cheltenham, B.D. £10 each; two Monks £8 each; "one Monk £7; and 27 Monks £6. 13s. 4d. each." History of the Reformation, vol. i. p. 226; Collections, p. 142.

of their studies, and to others in reward for eminent personal services or other causes, (which allowances were usually adequate to a most comfortable maintenance, and sometimes permitted the keeping of a horse for exercise,) commonly amounted to £10 or £15, though seldom to £20 per annum.

But, though these pensions and allowances were then esteemed sufficient for a liberal maintenance, they have fallen, through the lapse of three centuries, far below the yearly wages and emoluments, of the common servants and day-labourers of the present time.

Few persons possess correct ideas of the comparative value of money at different periods of our national history. According to the annexed table *, which has obtained great credit with those who are competent to appreciate its merit, the comparative value of money, about the Norman Conquest, was, as 26 to 562 at nearly the end of the late century. If we interpolate, after the plan of the author of the table, for two centuries backwards, to the reign of Ethelwulph, the comparative value of money at that period, would possibly be reduced to nearly unity: And, if we admit the value of money to have been depreciated, from

* Though the accuracy of this table, whose authority has hitherto been so frequently quoted, has been lately questioned, (Annals of Agriculture, vol. xlvi. p. 66.) it is perhaps sufficiently exact, to shew the comparative value of a given sum of money, about the middle of the sixteenth century, and the early part of the nineteenth century.

[To face page 400.]

A TABLE, exhibiting the Prices of various Necessaries of Life, together with that of Day Labor, in sterling money, and also in Decimals, at different Periods, from the Conquest to the present Time, derived from respectable Authorities; with the Depreciation of the value of Money inferred therefrom. To which is added, the Mean Appreciation of Money, according to a series of intervals of fifty years for the first six hundred years; and, during the present Century, at shorter Periods, deduced by interpolation. N. B. The various changes that have taken place, by authority, in different Reigns, either in the weight or alloy of our Coins, are allowed for in the subsequent Table. By Sir GEORGE SHUCKBURGH EVELYN, Bart.; and extracted from the Philosophical Transactions, 1798, p. 176.

THE PRICES OF VARIOUS ARTICLES AT DIFFERENT TIMES.

Year of our Lord.	Wheat per Bushel	Miscellaneous Articles.												Mean Depreciation from these 12 articles.	Beef and Mutton per pound.	Labor in husbandry per Day.	Depreciation to Money, according to the Price of				
		Cattle in Husbandry.					Poultry.			Butter per pound.	Cheese per pound.	Ale per gallon.	Small Beer per gallon.				Wheat.	Twelve Miscellaneous articles.	Meat.	Day Labor.	Mean of All.
		Horse.	Ox.	Cow.	Sheep.	Hog.	Goose.	Hen.	Cock.												
	s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	s. d.	s. d.	s. d.	d.	d.	s. d.	d.		d. qr.	s. d.					
1050	0 2¼	1 17 6 • 89	0 7 6 90	0 6 0 37	0 1 3 89	0 2 0 56								43			10	41			26
1100																					34
1150	0 4¼	0 12 5	0 4 8½		0 1 8	0 3 0		0 3								0 2					43
1200																					51
1250	1 7½	1 11 0	1 0 7	0 17 0	0 1 7		1 0	0 3	0 4½												60
1300																					68
1350	1 10½	0 18 4 43	1 4 6 66	0 17 2 106	0 2 7 61	0 2 6 41	0 9 71	0 2 84	0 3½ 34					56		0 3	100	56		71	77
1400																					83
1450	1 5		1 15 8	0 15 6	0 4 11½	0 5 1	0 6½									0 3¼					88
1500																					94
1550	1 10½	2 9 0 200	1 16 7 200	0 16 0 100	0 4 3½ 200	0 5 6 200	1 0 200	0 8½ 200	1 0 200	5 200	2 200	0 1½ 200	1 200	100	1 0½	0 4	150	200	200	150	200
1600	4 0½											0 4	2		1 2	0 6					144
1625	4 11						2 0		1 6							0 6½					188
1650	5 6											0 4	2								210
1675	4 6	5 10 0 250	3 6 0 154	2 17 0 345	0 11 0 256	0 14 0 254	3 0 300	1 3 134	1 3 455	4½ 90	2 400	0 2 170	2½ 250	249	1 3½	0 7½	246	230	166	133	210
1700	4 9½											0 10	3								237
1720	4 4½											1 0	3		2 2	0 8					284
1740	3 8	10 0 0 476	8 0 0 427	7 7 0 514	1 6 0 602	1 15 0 634	3 6 250	1 6 318	1 6 250	9 190	3½ 171	1 6 100	3 300	424	3 0	0 10	197	414	166	250	287
1760	3 9½	14 0 0 667	8 10 0 465	7 0 0 574	1 7 0 656	1 15 0 634	3 0 200	1 10 266	1 10 182	10 200	5½ 164	1 2 930	3 300	402	4 2	0 11	203	498	400	271	342
1780	4 5½															1 7					396
1795	7 10	19 0 0 904	16 8 0 893	16 8 0 1000	1 18 0 881	5 8 0 1960	3 0 300	1 6 318	1 6 250	11½ 230	5 210	1 2½ 909	2½ 175	752	5 3	1 3½	416	733	444	430	531
1800 nearly																					567

Mean Appreciation by Interpolation.	
A. D.	
1050	26
1100	34
1150	43
1200	51
1250	60
1300	68
1350	77
1400	83
1450	88
1500	94
1550	100
1600	144
1650	188
1675	210
1700	238
1720	257
1740	287
1760	314
1780	342
1770	384
1780	427
1790	496
1795	531
1800 nearly	567

• The small figures denote the price in decimals, wherein those for the year 1350 may be taken for the integer, or unit.

Besides most of the old Chronicles and Historians, the following Books were consulted, in constructing the above Table; viz. Bishop Fleetwood's Chronicon Preciosum, first and second edition. Liber Gardenobæ, in 1299. The Sketch of the Establishments of this Kingdom, temp. Edw. III. et seqq. by J. Bree, 1791. Collection of Ordinances and Regulations of the Royal Household, in divers Reigns, from Edward III. to King William and Queen Mary. Lond. 1790, 4to. The eleventh volume of the Archæologia. An Inquiry into the Prices of Wheat and other Provisions in England, from 1600 to 1765, by Mr. Combrune, 8vo. Lond. by T. Longman, 1766. Dr. Smith's Wealth of Nations. Sir James Steuart's Political Economy; and Dr. Henry's History.

the conclusion of the last century, in the next ten years (that is, to 1810) from 562 to 600, then the comparative value of money, at the date of Ethelwulph's grant of tithes, may be probably stated as 1 to 600, at this time.

If we allow these admissions or premises to be reasonable and correct, then the comparative increase in the value or produce of tithes in kind from 855 to 1810, ought to have been six hundred fold. But in what manner to compute or state any amount of the probable produce or income from tithes, on the first grant of them, seems utterly impossible, from the few relative data of that period extant, and on which alone any approximation could be formed.

But, whatever was the original income from tithes in kind, or the progressive increase of it from the Saxon period to the Reformation, it has increased since the latter era, as just stated, in the proportion of twenty to one: And, therefore, any abolition of tithes, which shall not provide for a similar progressive increase in the income of the Parochial Clergy, in the next and every succeeding period of equal duration, will be devoid of every pretence to a fair, just and honorable equivalent.

And, if regard be had to the progress of refinement amongst all the ranks in society, and the continual creation of various artificial necessities consequent thereon, the Parochial Clergy, from the respectability of appearance in themselves and families, unavoidably connected with their appropriate situation, and from their inability to engage

in the pursuit of any lucrative secular objects, will be justly entitled to a further increase, in consideration of the accumulating growth of such contingences, and of their incapacity to provide otherwise against them.

That, "the established Clergy in England, as "a body, were but slenderly provided for," was a fact admitted many years ago by a most determined enemy of the Establishment *. And yet the superstructure of the future income of the English Clergy in lieu of tithes, in almost every plan for a commutation of them, has been, as already said, proposed to be erected on the foundation of their existing income; notwithstanding that income, so greatly increased within the last three hundred years, is well known to be still incompetent, and declared so to be, not only by the Clergy themselves, but by those who cannot be accounted friends to the Establishment, and by even a professed enemy of it.

This injustice has not wholly escaped the observation of the more moderate tithe-opponents, of later years; and therefore it may be expected, that, in any plans for the abolition or commutation of tithes which may be hereafter brought forward, some provisions may be proposed on this point: such, as the prospect of considerable immediate and future benefits to the Clergy, to induce their compliance and co-operation.

But perhaps it will be more than questionable,

* Dr. Priestley's Observations on the Increase of Infidelity, 1796.

whenever any such proposition shall be made, whether the suggested present and future benefits would or could prove either real or permanent; and likewise, what might or would be the eventual consequences to our religious establishment, from the abolition or commutation of tithes. The benefits to the Clergy might be found ideal, and to exist in theory alone, or which young incumbents might live to see gradually annihilated: And the consequences to the State might be found, when alas! too late, to have wrought the complicated and connected ruin of both crown and mitre.

In the laboured productions, given to the public from time to time, insisting on the baneful influence of tithes upon agriculture, the facts which have been therein stated in support of an abolition of tithes, have been rare and trivial, and must be regarded as mere ex parte evidence. But, as there exists an awful responsibility for all the train of consequences, which may ensue to private property on such an alteration in the property of the Church, it cannot be conceded, that the legislature of this kingdom, consistently with its acknowleged wisdom and equity, could ever be induced to promote the adoption of any such proposed measure, without the most determinate and substantiated proof of the existence and prevalence of the evil, to which it is offered as a remedy.

As the Clergy are deeply interested in the execution of any and every plan for an exchange of their property in tithes, it will be necessary to advert to a plan for a general commutation of tithes,

which has been lately suggested in a County Agricultural Report, in the following words.

"A new mode of commutation for tithes has been "in one instance adopted under an Act of Parliament, which appears to be subject to fewer objections and inconveniences than any which had been "previously devised; and which seems to afford a "fair opportunity for the extinction of tithes, upon "the firm basis of impartial justice to all the parties concerned. It is by the payment for ever "of one-sixth of the real rental actually reserved "to the landlord, as a commutation for all tithes "great and small; the Rector, or Vicar, having "a power to examine the agreement in all cases, "where he has reason to suspect collusion; and "in all cases, where the land is held in occupation "by the owner, or any near connection of the "owner, the Clergyman to have power to demand "a valuation every seventh or ninth year, by an "able professional land-valuer jointly appointed, "or by two such persons, one appointed by each, "in which case the two so appointed shall, before "they proceed to the discharge of their office, "nominate an umpire, in case they should disagree. By this plan the income of the Clergyman exactly keeps pace, with the progressive "increase of the value of his tithes, and with the "improving value of land; by which he is enabled "to meet the increasing expenses of the times, "without subjecting himself to unpleasant and "pernicious disputes with his parishioners, or, as

" in the case of a commutation for land, occupying " his time and attention with secular matters. To " the public, this mode of commutation is equally " advantageous; by continuing a prodigious quan- " tity of land in the open market, which would " otherwise be irrecoverably abstracted from it; " and by removing that great obstacle to expen- " sive improvements, which the occupier feels, who " is subject to tithe in kind; for in this instance, " the Clergyman has no more interest in the an- " nual produce of the farm than the landlord, " whose interest it is to encourage the tenant to " make improvements from which he may derive " present profit, and his landlord subsequent and " permanent advantage *."

This plan of commutation is not wholly novel; and though it may appear plausible and equitable at first sight, it will be sufficient to shortly observe upon it, in exposure of its inadequacy and injustice, that whatever benefits or advantages it may hold out as a lure to the Clergy, it is eminently deceitful in its principle, and would prove as eminently injurious in its operation. Exclusive of all other evils which would result to the Clergy from the adoption of it, they would immediately be deprived for ever, of at least a moiety of the presumed actual value of their property in tithes, and of every future claim to it. A sixth part of the rent or value of land at the average of 20s. per acre, and stating its produce as equal to only four rents, gives the Clergy for his tenth part, a right to claim

* York East-Riding Agricultural Report, 1812, note, p. 61.

8s. per acre as a commutation for his tithes; (though, on the already mentioned average receipt from tithes, they, in conjunction with the lay-impropriators, do not receive half that sum, either by composition, or by the few tithes taken in kind;) whilst a sixth part of 20s. as the average rent or value of land per acre, is only 3s. 4d. per acre: thus creating a difference or loss to the Clergy of 4s. 8d. per acre; and which they are at present entitled to claim as well as the proposed 3s. 4d., though such a demand is very seldom enforced by them.

A third part, therefore, of the rent or value of land would have been only a moderate compensation (if the produce of land be carried as high as five or six times the rent, according to statements of many agricultural writers,) to the Clergy, on a relinquishment of their right to tithes; and to such an amount the proposed modus (for in its nature it cannot be otherwise accounted,) should have been extended, upon every principle of justice and adequacy. And even, then, the execution of the plan, upon close examination, would be found so loaded with objections, inconveniences, &c. as not to admit of general adoption; and from the various and disputed rights and claims of the different tithe-holders, to be impracticable. It would be easy to point out the objections, inconveniences, &c. alluded to; but it would be a waste of time and thought to pursue the examination of a measure so inequitable and unjust, and so indefensible.

It will be necessary also to advert to another plan for a commutation of tithes, since given to the public under the auspices of The Bath and West of England Society *. It proposes to pass an Act of Parliament to compel † the lay-impropriators

* An Essay on the Commutation of Tithes, by John Benett, Esq. 1814.

† "It is idle at this day to talk of any body having a right "to meddle with the property in tithes, without the consent "of the owners of them. Their's is a freehold title, as valid "as of the land itself. But supposing your favorite object "attained; namely, an Act of Parliament authorizing com- "missioners to commute tithes for land; what proportion "of land-owners do you expect would avail themselves of "its enactments, when it is considered that probably not less "than three-fourths of the land of the kingdom is in pos- "session of persons, who are either tenants for life, or lessees "for lives, and of persons labouring under some legal dis- "ability? How are they to purchase? And are not the re- "versioners still less likely so to do? But, that we may not "stop here, I will for the present suppose this difficulty re- "moved, and that all land-owners are ready to purchase, "provided there is a probability of their receiving a reason- "able return for their money; and that the tithe-owners "are ready to sell, in case their incomes are not diminished "by the transfer; let us examine, by a short calculation, "how these parties are likely to agree. A. has an estate of "300 acres, whereof 100 are meadow and pasture, and "200 arable. The meadow and pasture being averaged "at £3 per acre, and the arable at 30s. the amount of the "rent will be £600. Now taking the value of the tithe "of the meadow and pasture as equal to one-eighth part *, "or twelve and a half average acres, and the annual value "of £3 per acre, the amount will be £37. 10s.—; and "taking the arable at one-fifth part *, or forty average acres, "and the annual value at 30s. per acre, the amount will be

to "sell or exchange their tithes for land of equal "value within a certain distance, to be ascertained "by commissioners in the usual manner;" and, under a similar valuation, to compel the Clergy to "exchange their tithes for land, and who should "at all times be compellable to make the ex- "change, whenever called on so to do by the "proprietors of the land or a certain portion of "them," (acting in conformity to the proposed provisions of the Act;) and "that this land shall "be situated in the County or Diocese, within a "given distance, and all together, unless any "part of it should be in the incumbent's parish, "and which might be added to his home glebe: "This appears to the proposer of the plan, to be "the only fair equivalent, which can be given to "the Church." And the proposer recommends it to the tithe-holders, as "their best policy, to take "a full and fair equivalent for their property, "when the country at large is probably willing to "give it *."

"£60; and together £97. 10s. This sum multiplied by "thirty years purchase, the usual price of land in your "neighbourhood, would make the cost of the tithe little "short of £3000. Now, let me ask, do you believe that "one-fourth of all the land-owners within the circle of your "immediate acquaintance, would purchase their tithes on "such terms? N. B. *The above are about the average "proportions universally admitted to be equivalent to the "tithe of the produce." Letter to John Benett, Esq. by James Dean, land-agent, 1815.

* "A solid objection the substitution of estates for tithes, "arises from the consideration, that the affairs of mankind "are subject to continual vicissitudes and changes. Human

But in what manner does this proposal afterwards meet any correct idea of a full and fair equivalent? He states his object to be, that "the valuers should value all tithes at their present annual value, including moduses and all "other money payments to the incumbent of the "living; and that they should value the estate to "be exchanged, according to the same mode,

"institutions all carry within themselves the seeds of decay. "Governments and empires rise and fall. And in their revolutions we observe, that whole provinces once flourishing "and well peopled, frequently exhibit the melancholy scene "of a desolate and uninhabited desert. Our country can- "not expect to escape the general doom. In the course of "a century or two, many parts of it, now cultivated with all "the beauty of a garden, may become a barren waste. And "thus Churches and congregations may still continue to "exist, in one part of the kingdom, long after the estate "appropriated to the support of the Clergyman, in another, "had totally fallen to decay. The tithe law is exposed to "no such danger. And here, I cannot but remark with "what persistive wisdom and admirable simplicity, that "system was devised, so unalterable in its value, so perfect "in the adaptation of the means to the end. Wherever "tithes can be collected, there will certainly be a popula- "tion, requiring spiritual aid, and a provision for a Clergy- "man to administer it. They seem naturally connected. "And however honorably and justly, an equivalent might "be substituted, their separation would deprive religion of "a firm buttress. Our age has witnessed the abolition of "tithes in a neighbouring country. We may now witness, "if not the total absence of religion, the want of those re- "gular observances of it, which every sober, thinking people "have deemed essentially necessary to its maintenance." National Establishment, National Security, &c. just cited, p. 14.

" and should not value the probability of improve-
" ments on either side, which might be made on
" the lands, particularly on those to be exonerated
" from tithe." Which last partial and inequitable exception is attempted to be supported by the very unsound and indefensible plea and comparison, that money is free from tithe, when vested in public or private securities: whereas, if such money is expended in landed improvements, it not only increases, permanently, the value and produce of such land in favor of the proprietor and occupier, but in a proportion far beyond the benefit, which such proprietor or occupier could derive from the bare interest of such money.

The Essay, in which this plan was introduced to the public consideration, briefly notices many topics in connection, contains many provisions of an inferior nature, and concludes with asserting, that the following " great and good effects," amongst others, would arise from a commutation of tithe for land, namely,

That the cultivation of the waste lands would take place, and produce so much work for the labouring poor, that their wages would be raised, and they would be enabled to live without parochial assistance: that such additional farm produce would be obtained, as would not only support our increasing population, but afford such a surplus, that England might once more become an exporting nation; and foreign cash would thereby be brought home to be expended in further landed improvements: and lastly, that that interference in pro-

perty would be removed, which has caused so many law-suits, and such ill will among men, and such defection from the Church to which it is attached*.

This plan for a commutation of tithes, though rewarded by the Bath and West of England Society with their gold medal, is grounded like most of its predecessors, upon the same inequitable and unjust principle: namely, to compel the tithe-owners to accept a compensation for their property in proportion to its present value only, without any reference to the eventual increased value of it, connected with the augmented produce of the soil; which produce must increase in far greater proportion than the present or future value of any landed estate, which may be judged a fair compensation for any given

* "If it be argued, that, under a religious establishment, "where all should be peace and harmony, the tithes are "sometimes a source of animosity and lead to legal disputes, I answer, that by those, who seek opportunities of "railing accusation, every individual case of contention is "blazoned forth with malignant industry, and often under "great circumstantial aggravation; while the thousands of "instances of Clergymen who lead retired lives in the "bosom of their flocks, whose amiable qualities and Christian spirit spread only through the small circle around "them, who are active in well-doing and zealous with discretion, who adorn the doctrines they preach, and live "equally respected and beloved, are unnoticed and unnamed. Of such characters, with which the Church to its "honor every where abounds, nothing is heard. Their retirement shelters them from the shafts of envy; their example suits not the purposes of discontent." National Establishment, National Security, &c. just cited, p. 19.

quantity of tithes as valued at this time only. "An equivalent for tithe, on the principles of "reason and justice, should at all times and in all "circumstances be of equal value with that for "which it is commuted; and that land will not, "like tithe, vary in value with every improvement "in cultivation, and fluctuation of price, there is "no need to prove*."

It is impossible to suppose, that the Legislature could ever be induced to attend to a proposal, so openly unjust: or that the two Houses of Parliament could be influenced, by any motives whatever to consent to such a Bill, and present it for the Royal Assent, when they must know in their legislative capacities, that, under the positive and imperious authority of the coronation oath, which is incapable of being qualified by any evasive subterfuges, that assent must be refused.

The foregoing plan was soon examined, with great acuteness and ability, as well in respect to the principle on which it was founded, as to its tendency and eventual consequences†. Its fundamental positions were controverted, and the author of it charged with not understanding the origin and nature of tithe: its impolicy, injustice and impracticability, as it carried its own refutation, were forcibly asserted; and that "in the "proposed mode for assigning the equivalent, a "very tender concern for the interest of the land

* Three Letters to John Benett, Esq. by the Rev. William Coxe, Archdeacon of Wilts, 1815, p. 56.

† A Letter to John Benett, Esq. by the Rev. William Coxe, &c. 1815.

" proprietor might be perceived;" and, according to even a zealous advocate for a commutation of tithes *, its iniquitous designs and ruinous effects in respect to the parochial Clergy, might have been added. And the Examiner, after having corrected other erroneous and unfounded assertions of the Proposer, repelled the particular assertion, that to the operation of the tithe-system was to be attributed so great a portion of the dissent from the Church, in the following sound observation. " Though a few, and a very few, might be found, " whose heads and hearts were so perverted, that " they imagined they could avenge themselves on " their pastor, by refusing to hear the words of

* " The best of the whole is, that after taking much pains to " expose the nefarious tricks of Mr. Benett's plan, you over- " look the grand trap, which your Gentleman, so truly re- " spectable, had set to catch the napping Church. In his " Essay, he says, this exchange of tithes for land should " only be made compulsatory on the tithe-holders, and " patrons and incumbents of livings; who should at all " times be compellable to make the exchange, whenever " called upon so to do by the proprietors of the land. Now " mark, what might be the issue of such a law. Land- " holders having it in their power, to chuse the time of va- " luation, might easily so order it, that, at their chosen time, " the tithe would not be worth one-fourth part of its ancient " customary value. Laying down the land to pasture, and " stocking it in a particular way, would effect this with very " little inconvenience to the landholders, even though it " were so to lie for a considerable term of years." The Right to Church Property secured, and Commutation of Tithes vindicated, in a Letter to the Rev. William Coxe, Archdeacon of Wilts, by Robert Gourlay, 1815, p. 20.

" truth from his lips, the very situation of the " Dissenters disproved the assertion. In villages " and country districts, however populous, where " the tithe system existed, they were comparatively few; and a greater majority of the farmers " were attached to the Church, than of any other " class of society. On the contrary, they (the " Dissenters from the Church) were more numerous in towns, where the maintenance of the " Clergy was drawn from another source."

And in reply to the presumed increase in the growth of corn, to such an extent as to render this kingdom once more an exporting nation, the Examiner says in a subsequent publication, " I presume it will be granted, that it is of little use " to raise grain, unless a proper market can be " found; that is, unless it can be exchanged for " money or some other article, which will repay " the cost and labor of raising and exporting it, " and ensure a due profit to the cultivator. This " being the case, we shall scarcely find this market " in any of the countries abroad, because the " complaint of the agriculturists is, that foreigners " can undersell us at home; and consequently we " have little chance of underselling them elsewhere. Besides, in many foreign countries, " wheat is not generally used; and others that " raise little, and may perhaps be willing to purchase, have no commodity which it will be our " interest to accept in return. Supposing, however, that we could find the means of raising " corn sufficiently cheap to supply those who are

" now able to supply us, what would be the con-
" sequence? These foreign nations would doubt-
" less discover our design to draw unbounded
" wealth into our country; and would imme-
" diately frustrate so laudable a scheme, by imi-
" tating our example, and prohibiting importation
" under certain conditions. It is then absurd to
" expect any peculiar blessing, any unbounded
" influx of wealth, or any extraordinary impulse to
" be given to the cultivation of our wastes from
" the commutation of tithes *."

But, independent of any abolition or commutation of tithes, since the great reduction in the price of wheat, which is generally regarded as the regulating standard of all other agricultural produce, a question has been started, concerning the policy of augmenting the extent of our arable lands. The present quantity of these lands, say these questionists, are about 12,000,000 of acres; of which one-third, or 4,000,000 at least, are annually sown with wheat; and which, at an ave-

* Three Letters to John Benett, Esq. by the Rev. William Coxe, Archdeacon of Wilts, 1815, p. 83. And it was lately observed in the House of Commons, that " we ought to " look for a market, beyond our home market, in a year of " abundance; but that there was no great confidence in any " great part of our supply, being taken off by a foreign " market; because, such was the wealth of this country, " and such the amount of our taxation, that the price of " corn must necessarily be higher here, than in any foreign " country; and except under particular circumstances, we " could not sell our grain abroad." Mr. Western's Speech, March 7th, 1816.

rage crop of three quarters per acre, produce 12,000,000 of quarters: and this produce, taking into the calculation the quantity of other species of grain consumed in bread, affords an ample supply for 10,000,000 of population, and for seed, and for various manufactures. They go on to say, that, if the prices of agricultural produce are now so low, that the farmers cannot possibly continue to give the high rents, which the pressure of the late times enabled them to pay, and the avarice of the landlords extorted from them, (and which is not a mere surmise but an absolute fact to be proved by the immense number of farms of every description, and in every part of the kingdom, given up to the landlords, and now to be lett,) the increase of our arable lands must necessarily have an immediate tendency to multiply the produce of wheat, and thereby to still further depress the price of it; and to such a degree, as to cause agriculture to languish in all its departments. It is in vain to urge, they say, that exportation will take off such a quantity, as will prevent any glut in our home market. Has such exportation taken off any material quantity at this time, and thereby kept up the price to a reasonable standard? On the contrary, has not the price been so progressively declining, that it is now twenty-five per cent. under the first importation price? To mention exportation in these days, is idle and unmeaning; because to what part of the world, can our surplus be exported, in such quantities, as will affect the present annual average produce from 4,000,000

of acres? No one can doubt of the capability of this country to become once more an exporting country, agreeably to the idea suggested by the Corn Committee of the House of Commons: but, where will a market be found? The present state of agriculture in Europe in general, affords no prospect of the kind; America requires no importation; our East Indian territories, admitting wheat to be in request with its population, is too far distant for exportation; and therefore, to the comparatively inconsiderable demand, by our African possessions, by our West Indian Colonies, and by our foreign garrisons, are we to look for this market: and if the population of our African and West Indian possessions and of our foreign garrisons are considered, and the large proportion of it in the West Indies, which does not consume bread-corn, the exportation to all these places cannot be a sufficient basis for increasing, either rapidly or to any great extent, our present home produce of corn. Does, then, any adequate necessity or inducement exist, for bringing generally into cultivation our wastes and commons? Landed proprietors, who have large interests in such wastes and commons, may indeed increase the size or number of their farms, by such improvements, and the extension of our cultivated lands: but will the rent-roll of their landed property in general, be augmented by them? And, if such landed proprietors shall fortunately receive a benefit in any shape or degree whatever, what will be the situation of those landed proprietors, who

have either no interest at all in our wastes and commons, or of little or no consequence? Will they not be essentially injured by such a measure; which, as it cannot fail of reducing the price of land in general, will reduce the price of their lands, without their receiving any proportional counterbalance or equivalent increase in the quantity of their lands? Lastly, these Questionists conclude, that the landed interest should be neither incautiously acquiescing nor blindly assisting in the promotion of a general enclosure of our wastes and commons. Let the improvement and cultivation of them be left to the silent and progressive demand for increased corn-products. And, instead of being influenced or duped by the preconceived notions and visionary theories of empirical agriculturists, let the landed proprietors cautiously regard the future consequences of a general enclosure of our uncultivated lands. Maladies arise in the body politic and economic, as well as in the human frame, from opposite causes; from want, and from excess; from scarcity, and from superabundance: and the evils resulting from their different qualities, are to be equally guarded against. A due medium, between exhaustion and repletion, can alone give, under the superintendence of Providence, health and prosperity to the individual, and to a nation at large.

Nor let the land-owners only be cautious in aiding a general enclosure, but let the tithe-owners also be more especially on their guard, and ever

bear in mind the circumstances stated in the latter part of the following extract.

" The benefit of the Act of 2d and 3d of " Edward VI. for promoting the cultivation of " barren lands, by discharging them from the " 'payment of tithes for the first seven years after " the improvement, ' seems to want an explana- " ' tion. It is very generally admitted, that " ' the plain and obvious intention of the Act, " ' was to promote the improvement of such " ' waste lands, as were in their own nature " ' barren, and not capable of producing crops " ' without some extraordinary expense of ma- " ' nuring. Under this construction of the Act, " ' its benefits would extend to all our waste lands; " ' which are every where poor and barren in " ' their natural state. But by the opinion of " ' some modern lawyers, recently taken upon " ' cases of this sort, the Act aforesaid is ex- " ' plained in such a way as to afford no exemption " ' to our wastes; and this is a most effectual bar " ' to improvement; insomuch as it gives the " ' tithe-owners too great an advantage.' " (Pembroke Original Report.) " Had the term, com- " mon waste land, been substituted in the Act " above alluded to, instead of barren land, it " would have exempted such land from tithe dur- " ing the term: but the Act, as it is, is in itself a " nullity; as there is no land or soil, except " blowing sands, that can be termed absolutely " barren. Every soil, where any kind of vegeta-

" tion takes place, be it ever so poor, affords some
" food for hardy sheep, whose fleeces and lambs
" are titheable. To sell off the sheep from a
" a waste, and convert it to tillage-land, to be
" tithe-free for a term of years, without the con-
" currence of the incumbent or impropriator seems
" to be a stretch of power, which nothing short of
" an Act of Parliament can sanction; and not
" even that without violation of rights."

" 'In cultivating waste lands, it would be equit-
" 'able to allow the tithe-owner as much during
" 'the first seven years, as the waste usually
" 'produced.'" (Pembroke Original Report.)
" This is candid; but the best contrived regu-
" lations are liable to abuse. We know an in-
" stance, where this recommended regulation took
" place, in an act for enclosing the waste lands of
" a manor estimated at 15,000 acres. No tithe of
" corn or hay was to be paid in kind during the
" first seven years, the term to commence from
" the period of allotting; and the Commissioners
" were to award a certain per acreage, to be paid
" half yearly in lieu of tithes, so that the incum-
" bents or impropriators should suffer no loss by
" the enclosure. To this the tithe-owners had
" consented, some willingly and some reluctantly,
" by a written declaration, before the bill was pre-
" sented to the House of Commons. So far, every
" thing appeared to be well done; but mark the
" consequence. Neither the Clergy nor Laity
" profited much by the innovation. Some farmers,

" eager to get the greatest number of crops pos-
" sible within the seven years, free of tithe as
" they considered it, continued a ruinous course
" of cropping: so that when the seven years
" were expired, the new enclosures, in many in-
" stances, were completely exhausted: and during
" that time, tillage was in a great measure trans-
" ferred, from the old enclosures subject to tithes,
" to the new enclosures which were tithe-free;
" so that the tithe-owners suffered loss in both
" kinds. And to make matters worse, though the
" Act had ordered the composition in lieu of tithes
" to be paid half yearly, yet the Commissioners'
" award, specifying the sum to be paid for each
" allotment, did not appear till the seven years
" had nearly expired. By this time, some of the
" occupiers had failed, some had emigrated to
" America, and others to eternity; and their
" compositions of course could not be recovered.
" Others, though able to pay, finding the ar-
" rears amounting to a considerable sum, became
" refractory; and lawyers being consulted gave
" their opinion, that the compositions could not be
" levied, as by the Act they were to be paid half
" yearly; and if any action lay, it ought to have
" been against the Commissioners for neglect, in
" not doing within the proper time, what they
" they were enjoined by the Act. And, on the
" assertion by the writer of the Pembroke Ori-
" ginal Report, 'that our waste lands are every
" 'where poor and barren in their natural state,'

" it is remarked, that he forfeits his usual sagacity;
" and will not presume to defend his position *."

Again, It is insinuated, in defence of an abolition or commutation of tithes, that it is highly just, either wholly (if not gratuitously) to relieve landed property from the partial burden of supporting the national religious establishment, which it has unjustly borne through so long a period; or, as religion is a mere personal concern only, without any peculiar natural connection with landed property for its maintenance, to charge also manufactures, trade and commerce, as well as all other profits or incomes, to its support †.

* South-Wales Agricultural Report, 1815, vol. ii. p. 96—99.

† Tithes have been said to create grievous heart-burnings on account of their partial operation: that is, as has been acutely remarked on this assertion, that " the tithe-laws " should be more generally and widely extended, and that " the rich and wealthy should all be obliged to contribute to- " wards the support of the national religion in just propor- " tion to their abilities. But as to the grievous heart- " burnings on account of the present partial operation of " tithes, if they are really cherished by any, it only proves " their folly, or their immorality and wickedness; for do they " pay a farthing the more, because others pay little or no- " thing at all? And as to the poor farmers, whose hardships " are so deeply deplored, (and God knows there are cases " in which they are justly to be deplored,) why charge the " whole upon tithes? May not a considerable proportion of " them be imputed to exorbitant rents, and the incidental " enormous height of the poor rates, and perhaps numerous " other causes?" Howlett's Influence of Tithes upon Agriculture, 1801, p. 110.

To this it may be replied, though without further noticing the correct and decent assertion, that religion is a mere personal concern only, that at the original settlement of tithes, near a thousand years ago, for the support of the national religious establishment, there existed no other basis for it than what arose from out of land and its produce. Specie at that time, from its great scarcity, was so little known or employed, that almost all rents of lands though frequently valued, indeed, according to monied prices, were necessarily paid by a part of the produce of such lands in kind: and, perhaps, it would be scarcely possible to adduce many instances of rent or income merely arising from money at that era. Manufactures, trade and commerce, also, were so little understood, or carried on in such an imperfect state, or to such an inconsiderable extent, that no foundation for lasting dependence could be placed on them: besides, manufactures, trade and commerce, are at all times creative, adventitious, and fluctuating; whilst land and its produce are natural, inherent and permanent. And as, from such first appointment of tithes for the exclusive support of the national religion, all landed property has been transmitted down, through various times of public prosperity or distress, to the present proprietors, subject to the payment of them; so, on that account, where landed property has passed by sale, the purchase money has always been in proportion to that charge or deduction.

To assert, then, that the burthen of tithes which landed property has borne through so long a period, is unjustly attached to land and its produce,

for the exclusive support of the national religious establishment, is unfounded: because all landed property has been knowingly acquired by its present possessors, with that condition annexed to it, and, on that account, at an inferior price. So to suggest, that manufactures, trade and commerce, with all other profits and incomes, should be charged to the support of the national religion, in aid and relief of tithes out of landed property, is no less indefensible: because, as just stated, all landed property having been acquired by its present possessors subject to tithes for that particular purpose, therefore, manufactures, trade and commerce, with all profits and incomes, have been hitherto carried on and enjoyed under the implied stipulation, of not being liable to contribute to the support of the national religion; and should any charge be now laid on them on that account, the legislature might be accused of a breach of the public faith: and should any loss or annihilation of our manufactures, trade and commerce, with all other profits and incomes, ensue from such a measure, or through any series of general distress, the whole support of the national religion must again be necessarily charged on landed property, as the only existing, inherent and permanent foundation. Hence it follows, as an immediate consequence, that the support of the national religion actually has a more natural connection with land and its produce, than with any other species of property whatever; and that, therefore, "every possible "argument in favor of tithes upon land, for the "support of the national religious establishment,

"in exclusion of houses and other property, is" not "insupportable *."

So, again, to form expectations of a gratuitous release of landed property from the expense of supporting the national religious establishment, is unreasonable; or to insinuate that, by giving up an equivalent in land, or by the purchase of their tithes, land proprietors would indirectly subject themselves to a perpetual burthen equal to their present tithes, (that is, by the loss of so much of their landed property, or of the interest of the money expended in such purchase,) is false and ridiculous. For, if land proprietors, now charged with the outgoing of tithes should not be required to give an equivalent in land for their tithes, or to pay a fair and just compensation for them in money, by what equitable title can they hope to come into possession of a property, to which neither they nor their predecessors, for ten centuries past, have had even a claim? Or, supposing the land proprietors to receive a gratuitous donation of their respective tithes, will they be disposed conscientiously to seek out the heirs of the former possessors of their estates, and refund to them the abatement which was made in the purchase price of such estates, on account of the deduction of tithes? And how truly can land proprietors be said to subject themselves to a perpetual burthen equal to their present tithes, (by the loss of so much of their landed property given up for their tithes, or of the interest of the money ex-

* Middlesex Agricultural Report, 1798, p. 62.

pended in the purchase of them,) when, in lieu of that land, or the interest of that money so expended and vested in landed security, they will receive an immediate return by the proportionate advancement of their rents; and if we may suppose them to be not contented with an advancement in proportion only to the landed or monied acquisition of their tithes, they will immediately receive a much greater return: and in either case, the return from the tithes will be always increasing in greater proportion, than the return from the land so given up, or the money so expended, in acquiring them.

Though it has been asserted, that the land occupiers of this kingdom are the most valuable class in society, and though, with their families and dependents, they should amount to one half of the national population *, and even be the source of one half of the national wealth; yet there does not appear much reason or equity in relieving them at the expense of the other half of our wealth and population. In fact, the occupiers of rented lands, or nearly the whole body of farmers, do not contribute towards the support of the national religious establishment, by the payment of their tithes, as that deduction is indirectly allowed them in their rents; nor, in fact, do land proprietors, of whom a few comparatively may be land occupiers also, more directly contribute, either by the payment of their

* In 1811, as already remarked, the families employed in Agriculture, were 770,199; in trade, 959,632; and all other families were 412,316. Population Returns of 1811.

own tithes, or by the allowances for them in the rents of their tenants. Nine-tenths only of their estates, or of the produce of them, do actually belong to the land proprietors, though they may ostensibly appear possessors of the whole*. Of the tenth part, they are fiduciary proprietors only; and as that tenth part cannot be charged beyond the actual value of its produce, so is the occupation of it on the average commuted at a very moderate part of its apparent real value.

But, should tithes be freely and wholly abolished without any commutation whatever, the support of the national religious establishment must become a general concern. Land occupiers would then soon find, that though indeed they were released from the payment of tithes, they would possibly have incurred much larger expenses, in the increase of their rents beyond all proportion to their accustomed outgoings for tithes, and in their direct personal contribution also to the support of the national religion. And then would the larger part of our population likewise, whether friends or enemies to the Establishment, find themselves called upon by an actual payment, or more indirectly under the disguise of some species of general taxation, (chiefly affecting the necessaries of life, perhaps, as those alone are articles of universal and permanent consumption,) to contribute equally to the maintenance of a religious establishment, which

* Tithes are thus described by Lord Coke. "Decima "Pars, which we call tithes, is an ecclesiastical inheritance "collateral to the estate of the land." Coke's Reports, Part II. p. 14. a.

they did not regard, or from which they dissented, or to whose support they had not hitherto contributed.

And, indeed, whatever mode of providing for our religious establishment may be adopted, on any abolition or commutation of tithes eventually taking place, if it be accompanied by any species of general contribution, directly or indirectly, then will the whole body of the people, of all ranks and religious persuasions, experimentally and lastingly feel, with more truth than was originally designed, that religion was indeed a personal concern.

CHAPTER THE TWELFTH.

ON THE POLICY OF AN ABOLITION, OR COMMUTATION OF TITHES.

AFTER considering the necessity and justice of an abolition or commutation of tithes, it remains to inquire into the Policy of such a measure.

From an ignorance of the value of their property in tithes, and too often from their pecuniary inability to enforce their claims, from their want of exertion consequent on the mode of their education and retired habits of life, and from their desire to enjoy peace, quietness and regard as the Ministers of religion, the Parochial Clergy are induced, if not forcibly compelled in some respects, to acquiesce in compositions for their tithes, though they may be fully sensible of the inadequacy of such compositions. Now, by accepting such unfair compositions, the Clergy essentially contribute towards, and assist in extra expense in cultivation; that is, by the difference between the real value of their tithes, and the compositions received by them. And this difference, though it may appear speculatively inconsiderable, in fact amounts to an interesting sum in each parish, where unjust com-

positions are, as it were, thus forced on the Clergyman's acceptance.

The farmer, in contracting for his farm, always makes an ample allowance, in his calculation of the produce and out-goings, for the utmost value of the tithes, and makes the payment of tithes a strong argument in beating down the landlord's rent; but the farmer well knows, that a very inferior sum will be accepted, as the actual composition for his tithes. But this difference, in favor of the farmer, would be wholly lost on the abolition or any commutation of tithes. "Once let a "general abolition or commutation of clerical "tithes take place, and they, the farmers, would "be instantly deprived of these advantageous "chances; rents would be immediately raised to "their utmost height; and what goes now into "the hands of the farmer, as a powerful en- "couragement to spirited agriculture, would then "come into the hands of the land-proprietor, "proving a new inducement to oppression. With "respect to the land-proprietors, they may cer- "tainly wish for a commutation not only of cle- "rical tithes, but also, and more especially, of "those in the hands of the laity. It would sooth "that love of power, so natural to the human "heart; for it would deliver the tenantry over, as "it were, bound hand and foot, to their pleasure; "and it would also, supposing the proportional "expense of cultivation should continue to in- "crease, remove a powerful impediment to the "increasing value of their estates. I mean not to

"impute peculiar depravity to the proprietors of "land: they are, doubtless, like the rest of man-"kind. But human nature must be vastly im-"proved, or large bodies of men, as well as indi-"viduals, will generally be actuated by self-interest, "real or imaginary *."

And "here (we believe) say the writers of a "periodical work, lies the secret of the present "clamor against tithes. Many landlords perceive, "or their agents whisper them, that, if tithes were "abolished, they might advance their rents beyond "all calculation. In great haste to improve their "rent-roll; with as great indifference about the "moral and religious qualities either of their te-"nants, or of their own households; and unin-"structed by the examples of successful revo-"lutions; they are now employing every engine "that can be set at work, to procure an abolition "of tithes, on a pretence that they paralyze the "arm of husbandry †."

An abolition or commutation of tithes would produce no additional encouragement to farmers, in improving their lands, and increasing the produce of them. Such a measure, whichever might seem most efficacious, would probably be attended with the loss of that encouragement, which farmers enjoy at present. "Tithes," says the author of a County Agricultural Report in Scotland, "are un-

* Howlett's Influence of Tithes upon Agriculture, 1801, pp. 34, 40, 41.

† British Critic, vol. xix. p. 462.

" known in this county: a circumstance, with " which the proprietors in particular have reason " to be satisfied; as it is one of the many causes " of rents being high, and the profits of farming " low." And in another passage, he says, "there " is perhaps no profession whatever, which gives " such a small return for the stock employed in " trade, and the knowlege and application ne- " cessary, as does agriculture in the vicinity of " a great town, where, from the great competition " for land, arising from the continued influx of " noviciates from the city, who are eager to be- " come farmers, the profits of the real husband- " man are reduced to the lowest degree of recom- " pense. Thus, whilst it may be observed with " what rapidity fortunes have been lately here ac- " quired, not only in the higher professions, but " even in the lower mechanical arts, there is hardly " an example of a farmer being able to raise him- " self above the level of his former station, al- " though the husbandmen consist of a body of " men three times more numerous, and possessing " a stock in trade six times greater, than that of " any other distinct profession whatever *."

On the first passage it has been remarked, " This is a fact worth a thousand speculative " reasonings." And on the second, " Have we " not here a striking illustration of what I have " above supposed would be the consequence of the " abolition of clerical tithes, that what the English

* Mid-Lothian Agricultural Report, 1795, pp. 56, 52.

" farmers now contingently get by the general
" moderation of the Clergy, the landlords would
" immediately put in their own pockets, &c.? The
" Scotch farmers, we find, in the vicinity of great
" towns, cannot advance one step towards the im-
" provement of their circumstances, but remain in
" their own original stations, as poor as their an-
" cestors; though they are free from the burthen
" of tithes, with all their oppressions and embar-
" rassments, which are here so loudly lamented.
" How is the case with the English farmers in
" similar situations? Visit the neighbourhoods of
" London, of Sheffield, of Leeds, of Manchester,
" of Liverpool, of Birmingham, and you behold
" the poor creatures so shackled in their exertions,
" so crushed by the dead weight of tithes, so
" harassed by the oppressions of tithe-men, and
" the rapacity of Parsons, that they are every day
" rising into opulence, purchasing estates at higher
" prices than others can afford to give for them,
" and finally turning their backs upon the plough
" and the dung-cart, and commencing gentlemen.

" The clerical claim of tithes, then, seems clearly
" advantageous to agriculture, as far as the farmer,
" or mere occupier of the soil is concerned. He
" has contingently more powerful inducements to
" diligent and vigorous exertion in the cultivation
" and improvement of his rented land; and if he
" took a long, comprehensive view of his real and
" final interest, he would be so far from complain-
" ing of them, that he would become a zealous ad-

"vocate for their continuance, and strenuously "oppose their abolition *."

But, whatever might be the advantage or disadvantage resulting to the farmer, from an abolition or commutation of tithes, it is said, that, though the Clergy's income might be even diminished in consequence of the adoption of any such plans, they would have no just ground of complaint: because their private interests ought to give way to the general interests of the nation; and because the property of the Church having been originally the property of the State, a part of the common stock left to the discretion of the State to be employed to the best advantage of the community, or a grant from the Crown intrusted only to the Clergy fiducially for their peculiar maintenance, the State has a right to resume, exchange, or even annihilate that property, whenever existing circumstances require such measures, and the State should so will it, for the national benefit.

Plausible arguments in favor of most proceedings, may at all times be brought forward; though such arguments, however fair and well-founded at first sight, upon examination frequently tend essentially to weaken the cause they were meant to support.

In the present instance, though it be asserted that the property of the Church was originally the property of the State, a part of the common stock, or

* Howlett's Influence of Tithes upon Agriculture, 1801, p. 36.

a grant from the Crown, and though it has been unwarily and unwisely conceded by some defenders of the Church establishment, "that tithes are the "property of the State appropriated to the main-"tenance of the Ministers of the established Reli-"gion of the country;" yet it is difficult to ascertain any grounds for such concession, or to adduce any historical authority for the assertion, of the property of the Church having been considered in ancient times as originally the property of the State. A close inquiry into ecclesiastical history, would possibly furnish strong evidence against both the concession, and the assertion.

The property of the Church in tithes, insensibly arose out of customs and practices almost co-eval with the creation of the world, if not of divine institution; followed by every nation of antiquity, whose histories have come down to us; made the peculiar maintenance of the Jewish priesthood, by the express command of God himself; and, in imitation of that sacred appointment, or by the implied authority of our Saviour and his Apostles, adopted or admitted by the Christian Church at a very early period, and invariably and immediately established by legal sanction in every kingdom, whenever Christianity became its national religion. And the property of the Church, in lands, was never bestowed as a donation by the State, but wholly and imperceptibly proceeded from the pious and liberal munificence of their original private proprietors.

It may therefore be surely advanced, that the property of the Church, either in tithes or lands, was never the property of the State; and, though it be allowed that tithes have been sanctioned by it, that they never were considered as the property of the State in any other sense, than as they lay open to the attainment of all the Candidates for the established Church of the State. And in this kingdom, whatever may have been presumed to the contrary from the practice of arbitrary consecrations, tithes, from their legal establishment near a thousand years ago, to the Reformation, were in respect to every other person than the Clergy, (except sanctioned by the Church,) esteemed a *res nullius*. For, though our ancient histories frequently acquaint us with disputes between our Kings and Clergy, on account of the seizure, sequestration, or non-restitution of the property of the Church, we do not read, that our Kings ever seized, sequestered, or withheld it, under the idea of its being the property of the State, but by the stern authority of their undefined prerogative.

If, then, the property of the Church cannot be reclaimed and resumed on the ground of having been originally the property of the State, a part of the common stock, or holden by a mere grant from the Crown, on what other grounds short of an apparent infringement of the Constitution, can the State take possession of it, and, in seeming opposition to the generally received principles of political justice and integrity, make any alteration in

the Clergy's income arising from tithes in kind? In a debate in the House of Commons, in the year 1793, on a bill to compel the impropriator of Farnham to accept a determinate payment in money in lieu of the tithe of hops, the bill was opposed by a celebrated Law Character, (then in the high office of Attorney General,) on the very grounds of its being "an encroachment on the law of the land, a "violation of private property, and a gross act of "injustice."

These are very strong expressions; and, being the sentiments of one of the first law characters of the age, they are very strong authority also. And, if they were called forth on reference to an alteration in the property of a single individual only, how much more forcibly must they apply to an alteration in the property of thousands? Supported by such authority, doubtless, the legality and equity of any abolition or commutation of tithes may be justly questioned; and it may be urged, that from the general conduct of the titheholders, it is neither called for, nor merited on their parts. And most especially on the part of the Clergy; who, in justification of themselves and their profession, may truly assert, that in every crisis of national or constitutional difficulty where they have been looked up to for their influence and exertions, they have constantly manifested their steady and important attachment, their unfeigned zeal and loyalty, towards their King and country; and who, with all becoming urgency, may press, that their interests, and the interests of the national religion,

so vitally connected with the welfare and existence of the community, may not be regarded as trifling considerations.

" The British constitution in Church and State " are words still uttered with respect by all virtu- " ous and enlightened citizens. Though familiar " to our ears, the ideas they convey are not the " less dear to our hearts. The good man loves " the constitution, and venerates the religion of " his country, and consequently he is gratified in " seeing both intimately united. He loves to see " the Church intwine itself about the State: to " his eye, the column of the constitution, though " rising in conic beauty from the people to the " nobles, and from the nobles to the Crown, would " appear naked and unfurnished, if not clothed " by the verdant foliage of morality and religion. " He is a decided friend to the alliance between " Church and State. He knows, that this alliance " is so ancient, that it is impossible to tell when it " began, but by saying, soon after Christianity was " first introduced, or when our constitution was in " its infancy. He knows, that the Religious Es- " tablishment and the Constitution of his country " were rocked together in the same cradle, that " they advanced hand in hand to maturity, that " they were buried together in the same grave, " and that the crown and the mitre, afterwards " called back to life by the groans of a penitent " people, re-appeared together, and were jointly " re-admitted to all their rights: rights, the non-

" admission of which was practically proved to be
" hostile to the best interests of the people.

" The advantages of this union are manifold:
" And the principal cement of it is the property of
" the Church, a peculiar species of property be-
" stowed on the Church in the infancy of the State;
" repeatedly confirmed in its maturity, and whose
" resumption, perhaps, may seem to announce its
" decay and dotage. The property of the Church
" is the property of a body of men insulated and
" distinct from themselves, and from every class of
" the community, and consequently relying solely
" for protection on the laws and constitution of the
" country. In this defenceless and unprotected
" state, their property is attacked, which ancient
" sages and legislators had exhausted all their skill
" to render sacred and inviolable; which they had
" solemnly recommended to the protecting care of
" an honorable posterity, round which our countless
" volumes of legal and constitutional wisdom had
" ranged themselves into a rampart vainly suppos-
" ed to be impregnable; which an uninterrupted
" possession of more than ten centuries had seem-
" ed to place above the reach of unprincipled
" hostility.

" Can the Legislature of a country, without de-
" parting from its character, say to a respectable
" class of its inhabitants, you have a large property
" of a certain description, we will take it from you,
" and give you in its place, even without your
" consent, another description which will suit you
" better. If such interference, with any one class

" of men, and any one species of property, be justifiable, a similar interference with any other " description of persons and property must be " equally so. But, if an invasion of undoubted " rights be once begun, where will it end? If " the legislative power, quitting its constitutional " orbit, shoot wildly into prohibited space, who " can define its motions, or regulate its eccentricity? Let not then the Parliament be encouraged to any new or unwarrantable encroachments on the rights of property. Let the property of the Clergy be considered a principal " out-work to that of the Laity; defend it from " the assault of innovation, or prepare to stand a " siege in the citadel.

" It would be strange indeed, that a few years " undisturbed possession of land, however unfairly " obtained, should, under a statute of limitation, be " sufficient to establish the title of an individual " against the world, and that a thousand years " possession, the voice of a thousand laws written " and unwritten, and the oath of the Sovereign solemnly and publicly given, should fail to protect " the property of the Clergy. If the Legislature itself, in the plenitude of its power, should dispossess an individual of a small landed estate of ten " acres, of which he was possessed fifty or sixty " years, universal consternation would arise; deep " murmurs would be every where heard: All, without a dissenting voice, would pronounce it an " act of flagrant tyranny. And shall we say that " it would not be tyrannical, to seize the extensive

" property of the Clergy, sanctified by ten centu-
" ries undisturbed possession, and give them some
" substitute arbitrarily called compensation? In
" the coronation oath, the King swears, that he
" will preserve unto the Bishops and Clergy of
" this realm, and to the Churches committed to
" their charge, all such rights and privileges as
" by law do or shall appertain to them, or any of
" them. Is not this swearing, in strong terms, to
" preserve the rights of the Clergy, the principal
" of which is their right in their tithes, a right
" never disputed, a right which existed at the time
" of the coronation, and at every preceding and
" subsequent time? Surely to consent to the
" abolition of tithes, which in their nature are se-
" curer than any other species of property, how-
" ever largely the Church may be said to be
" indemnified, is not preserving to the Clergy
" their rights; on the contrary, it is destroying
" their rights, and at best giving them, what is cal-
" led an indemnification.

" When I consider the fond partiality with
" which the law has always treated this species of
" property, the contrivances it has resorted to, to
" give it immortality, the anxiety it has discovered
" for its security; when I consider, that tithe
" flowed down the stream of time in uninterrupted
" succession, while landed property died with the
" possessor; when I consider, that, while forfei-
" ture punished not only the guilty land proprietor,
" but his innocent progeny, the felony or treason
" of the parson was expiated by his own personal

" punishment, without at all involving his succes-
" sor; when I consider the dreadful times of
" York and Lancaster, when almost every acre of
" land passed into a family different from that of
" its former proprietor, while tithe and other Cle-
" rical property triumphantly descended in their
" usual channel; when I consider, that tithe sur-
" vived the clash of religious fury terminating in
" religious revolution, that the succession to tithe
" has been as uninterrupted as that of time itself
" through a vast period of more than a thousand
" years, while landed property changed its posses-
" sors, alas! how often during this period; when
" I consider all this, and consider besides, that the
" whole body of the law of England, in its various
" branches of common, ecclesiastical, and statute,
" all powerfully enforce and support this favored
" species of property: I am tempted to exclaim,
" Yes, the property of the Church, and the Bri-
" tish constitution began to stand, and I am sure
" will fall, together; if innovation successfully as-
" sail the one, the days of the other are numbered
" also *."

But, indeed, if existing circumstances do call for national attempts at experimental improvements, why must the property of the Church above all other property be selected, for the trial of these experimental improvements? Why must the most ancient and indefeasible property in the king-

* Commutation of Tithes in Ireland, before cited, p. 30, 32, 39, 43, 46, 48, 52.

dom be sacrificed, rather than that which is more modern, and perhaps less secured? Why is the property of the Church to be made (as it were) the scape-goat, and bear with it into the wilderness of the Establishment's destruction, the several obstacles to the improvement of landed property and its products? Would other proprietors of landed property approve of being violently dispossessed of their freeholds? What would be the language, behaviour, and exertions of lay-proprietors of lands, at such an attempt?

"That man must be totally unread in history, "and have profited little by his own experience, "who is not apprized of the danger of removing "old land-marks, those especially which are the "boundaries of constitutional rights. The fairest "prospect of improvement will not justify the "risk of innovation in a system, which in a reli-"gious view, has no equal, and in a political one, "is essential to the preservation of the best consti-"tution that was ever framed. But in the case "before us, the reverse of improvement presents "itself, at the first glance; and the more you ex-"tend the view to distant effects, the wider field is "displayed of national confusion and ruin." And after delineating many of the evil consequences to a great variety of properties, resulting from any change in the property of the Clergy, it is asked, "But for what object, in the present case, are "such tremendous evils to be risked? Is it, that "the landlords may add to their rents the tithes, "which neither they nor their ancestors pur-

" chased? Is it, that the tenant may get rid of a " burthen, for which he has received a valuable " consideration? Is it to gratify a few enterprizing " geniuses, who flatter themselves that they are " capable of forming a regulation, which the most " able statesmen, that ever lived, have universally " despaired of contriving; and for which no one " was ever found mad enough to risk a project, " in a constitution similar to ours in Church and " State *?"

Several members of both Houses of Parliament have been fond of seizing all public opportunities, of declaring their readiness to join in any equitable plan for the commutation of tithes, notwithstanding they themselves are considerable tithe proprietors. To ignorant and unreflecting minds, such declarations may appear highly generous and patriotic; but upon closer inquiry, they may merit no other appellation, than self-interested. It must be recollected, that when tithe proprietors thus profess their promptness to join in a commutation of tithes, they make such declarations on the supposed and undoubted basis of receiving a degree of compensation for the surrender of their property. But, as tithe property bears a very small proportion to absolute landed property, and as tithe proprietors to any extent are generally considerable land proprietors also, it will not be difficult to shew, that tithe proprietors, on a com-

* Bishop Woodward's present State of the Church of Ireland, 1787, p. 62, 65.

mutation of tithes, exclusive of receiving a compensation for their tithe property, would in conjunction with all land proprietors (who should become possessed of their tithes,) receive also an immediate and large return in the increased rents of their landed property.

Stating the received value or amount of tithes, either taken in kind or by composition, as equal to four shillings in the pound of rent, (which certainly exceeds the average actual produce of tithes,) the tithe proprietors would give up, and the land proprietors would acquire their tithes in proportion to one-fifth part of the rent of their estates. But, would any land proprietor let his estates when tithe-free, at an advance of one-fifth only on the former rent when subject to tithes? It is asserted for a fact, that an intelligent man possessed of considerable landed property, though rather easy in respect to the improvement of his rents, upon being asked, what advance of rent he should expect upon the supposition of his estates being discharged from tithes, answered, that "he "thought an advance of one-third only would be "very reasonable, and ought not to be objected "to by any land occupier." If then, one-third, or £33. 6s. 8d. per cent. be esteemed by moderate men a very reasonable advance in the rent of landed property on its being discharged from tithes, what advances may not be looked for by those land proprietors who, being solely intent upon the improvement of their rents, may esteem 40, 45, or 50 per cent. as not unreasonable?

At an advance of one-third only, or £33. 6s. 8d. per cent. stating tithes to be valued at the rate of one-fifth, or 4s. in the pound, of the present rent, and to be acquired in proportion to thirty years purchase, (that is, the tithes of an estate of £100 per annum to be valued at £20 per annum, and to be acquired at the expense of £600) the land proprietor would immediately receive £5. 11s. per cent. for the £600, so vested in landed security: and so on, at an advance of two-fifths, or 40 per cent.; or nine-twentieths, or 45 per cent.; or one-half, or 50 per cent. (stating tithes to be valued and acquired as before,) the land proprietor would vest his £600 in landed security at an immediate return of £6. 13s. 4d.; £7. 10s.; or £8. 6s. 8d. per cent. A rise or fall in the price of landed property, and which would necessarily govern the value of tithes, would not materially affect the immediate profits of such tithe purchasers; as the interest of money would rise or fall in proportion to the value of land: and as the average produce of tithes, though before stated as such for calculation and argument sake, most certainly does not rise to 4s. in the pound, either taken in kind or by composition, the immediate profits of the tithe purchasers would exceed those above mentioned.

Hence then the declarations before alluded to, appear upon examination to be neither patriotic nor generous; but are merely calculated to catch the notice and applause of the multitude, and may result more from private interests and considerations than from the public good. And hence

also the land occupiers, (that is, farmers who pay rents for their lands, and who are nearly the whole body of land occupiers,) should seriously consider, before they assist by their complaints and endeavours in bringing forward a commutation of tithes, and should inquire, in what manner they can or will be benefited by the execution of any such proposal. It is clear, from the foregoing statements, that they will most assuredly be compelled to pay a much greater advance of rent, than they have been accustomed to pay for their tithes; and thus, so far from any benefit accruing to them by any commutation, they will to a certainty be grievously injured by it. And, therefore, whenever any attempts are made to render them dissatisfied with the present system of tithes, let them not fail to remember the shrewd and true observation of the old, sensible Devonshire farmer; who, upon having inquired to whom the tithes would belong upon being taken away from the parsons, and upon being told they would belong to the landlords, said, "Then I had rather "they should bide as they be; for I can always "deal better with the parson, than I can with "my landlord."

"Perhaps, if the subject be well considered, "the farmer would gain less in a commutation, "than any one class of society. Tithes, in their "present form, may check his improvements, "may control his system and his capital, may "harass his mind, and lead to personal animosities "and expensive litigations; but probably his

" mere payments in lieu of tithes, would on the " whole be as heavy under any commutation, as " those to which he is now liable *."

" Much clamor has at all times been raised " against tithes; but I have long thought that " clamor to originate, in most instances, from in- " terested selfishness, factious turbulence, infidel " rage, or sectarian bitterness, rather than from " the calm and deliberate conviction of their in- " justice or their impolicy. Tithes are not the " exaction of injustice; he who purchases a piece " of land subject to tithes, purchases it knowing " that the tenth part, not only of the existing pro- " duce, but of the productive power, of the im- " proved or improvable value, belongs of right to " a different proprietor; and he consequently pays " so much the less for the purchase than he would " otherwise pay. With what shew of justice can " such a purchaser complain of a grievance, for " which he has in fact previously received a re- " compense? For had he purchased the land free " from tithes, he would have given a much larger " price for it, and proportioned to the value of the " impost to which it is subject. Surely that can " hardly be esteemed an oppression, which is a vo- " luntary act; or an injustice, which a man sanc- " tions by his own consent. It should likewise be " considered, (for truth, more than any undue par- " tiality to my brethren, compels me to declare it,) " that the Clergy, either from an unwillingness

* Hereford Agricultural Report, 1805, p. 36.

" to incur the charge of extortion or of covetous-
" ness, or from a desire to live at peace with
" their parishioners, seldom get more than two-
" thirds of their due, according to the rent of
" land. He therefore, who hires land subject to
" tithes, is usually a great gainer, and is very ma-
" terially benefited by that measure, in which his
" ignorance finds a source of bitter discontent:
" for, hiring his land subject to tithes, he has a
" deduction from the rent, which he would other-
" wise pay, equal to the full value of the tithes,
" when in fact he seldom pays any thing like that
" value. If he did not pay the smaller sum in
" tithe, he would the larger sum in rent. Where
" therefore the Clergyman is not griping, penu-
" rious, and eager to exact the uttermost far-
" thing, tithes are to the tenant, not an intoler-
" able grievance, but an essential advantage *."

The following passage from Duigenan's Fair Representation of the present State of Ireland, 1799, occurring at the conclusion of several paragraphs highly illustrative of many points in connection with the present subject, is also worthy of consideration and attention in England as well as Ireland. " The Irish peasantry, in fact, would
" be in a worse condition if tithes were abolished,
" for they would be obliged to pay an increase of
" their annual rents for their farms in that event,
" vastly exceeding the sums which they now pay
" for the tithe of them; and this is expressly ad-

* Bellowes's Morality, united with Policy, 1800, p. 76.

"mitted by Mr. Emmett, one of the Irish Directory, in his examination on oath before the Secret Committee of the Irish House of Lords. "He states, that he was very sure, if tithes were "abolished, the people, on taking new leases, "would be obliged to pay more in proportion for "lands than the value they now pay for tithes; "but he admits that the leaders of the rebellion "endeavoured to raise a popular cry for the abolition of tithes, as they did in favor of Catholic emancipation and reform; about all "which, he admits, the people did not care a feather, till they persuaded them, that certain "imaginary advantages were to result from them; "and that they (that is, the Irish republicans,) "raised that popular cry for the mere purpose "of cajoling the mass of the people into a support of their own anarchical projects." P. 54.

Again, men of speculative minds, of sanguine dispositions, or selfishly attached to their own interests only, may flatter themselves, and confidently assert, that one opinion alone exists in respect to tithes, and that a commutation of them would meet with general approbation. But perhaps, there never was a topic upon which opinions were more divided and more dissonant; and which all dispassionate men allow to be of such an important and delicate nature, as to require the most cautious and tender interference, if they admit of being touched even in any degree *. The example of a

* "If any change takes place in the mode of paying the

neighbouring nation is a warning to all wise and good men, and to all real patriots, to avoid rashly tampering with the property appropriated to the support of a national religion. The seizure and subsequent annihilation of Church property in France, was an early and leading trait in the French revolution; and it has been esteemed as little less than a robbery of a numerous class of men, who were justly entitled to their share of that property, having been bred and educated to the profession of the Church, having dedicated their lives to it, and therefore having an undoubted right to a continuance of their ancient provision. Shall then one measure of reason and justice be observed towards the Clergy of France, and a different one towards the Clergy of England?

"It appears to me not an oppressive, or absurd, "but a wise and useful, policy in every State to "set apart a certain portion of its land, or its pro- "ductive industry, for moral purposes. And, what "is Christianity, rightly understood, but a system "of pure and sublime morality, a system of mo- "rality simple and artless, but comprehensive and

"Clergy for their spiritual labors, we must give them an "equivalent; and when that is properly estimated and al- "lowed, the landed interest will not gain any thing by the "change. If you give them less than an equivalent, the "change will be unjust, their tithes being as good as any "other to landed property. Any innovation, therefore, "which shakes the one, will not fail soon afterwards to "destroy the other." Letter to Lord Somerville before cited, p. 103.

" profound, sealed with a divine authority, and " founded on eternal sanctions? And what, con- " sequently, is, or can be, the great and glorious " end of an established Christian Ministry, or a " rich Christian establishment, but to inculcate " virtue and exemplify beneficence? If the re- " ligious establishment in this country do approxi- " mate to this great end, though with many oc- " casional deviations, its partial abuses vanish in " the contemplation of its general usefulness. " Would that property, which is now appointed " by law for the support of the Clergy, be con- " verted to a better purpose, or be made more sub- " servient to public utility, if it were transferred " to other hands, or melted down into the mass of " private property? The ecclesiastical revenues " might, and, probably, would, be made more " productive in other hands *; but we ought not " so much to calculate, whether the property " would be physically more productive, but mo- " rally more salutary; not whether it would in-

* Admitting for argument sake, this to be true in respect to tithes, it is not doubtful in respect to the landed property of the Church. In the opinion of intelligent men, the landed property of the Church is a most desirable property on account of its peculiar tenure, which affords every inducement to purchase it, and consequently to cultivate it in the highest style of agricultural perfection.—Kent's Hints, and Somersetshire Agricultural Report; as before cited. And Mr. Young, in respect to the Vale of Taunton, says, that " much of the " land being held of the Church, admits a number of inde- " pendent occupiers, and accounts for their present opu- " lence." Annals of Agriculture, vol. xxx. p. 352.

" crease the national wealth, but whether it would " improve the national virtue. And whenever, in " any measure of political reform, the great ques- " tion is between the financial aggrandizement of " the country, and the moral amelioration of the " people, the former is so insignificant a con- " sideration compared to the latter, that it argues " as much ignorance as wickedness even for a " moment to hesitate about the choice. If the ec- " clesiastical establishment be, with all its imper- " fections, auspicious to the interests of virtue, it " ought to be maintained, though the revenue of " the State might be augmented ten hundred fold " by its subversion *."

If any man should illiberally grudge the Clergy their legal provision, and think the charge of the Establishment burthensome to the State, it may be asked, Is not the community (at least, are not the lower classes of it) in a pecuniary sense, gainers by that provision? " Every one the least " conversant in the business of human life must " know, that if the total income of the Clergy was " not paid to them, it would neither add to the " farmer nor the labourer; it would be in addition " to the incomes already possessed by the Nobility " and Gentry of this country; and is there any " man who has considered the subject, who has " considered the usual way of life of the nobility " and gentry, and of the Clergy of this kingdom; " who has considered that the Clergy for the most

* Fellowes's Morality united with Policy, 1800.

" part constantly reside in the country, are wit-
" nesses to the wants of the poor, and in general
" desirous to relieve them; and that the nobility
" and gentry, frequently from their duty in Par-
" liament and other causes, reside but a short
" time at their country seats, and from their ele-
" vated station in life, and the high rank in which
" they move, either cannot be, or at least are not,
" so intimately acquainted with the distresses of
" the poor; Is it at all likely, if the income paid to
" the Clergy at large was added to the estates of
" the nobility and gentry, that they either would
" or could so beneficially appropriate as much of
" that income in charity to the poor, as is at pre-
" sent appropriated of it by the Clergy? Who-
" ever thinks so, is of a different opinion from the
" late Mr. Burke, that intelligent and able man,
" to whom I am indebted for this remark *."

* Hare's Visitation Sermon, 1779. " The people of Eng-
" land know, how little influence the teachers of religion are
" likely to have with the wealthy and powerful, if they ap-
" pear in a manner no way assorted to those with whom they
" must associate, and over whom they must even exercise,
" in some cases, something like authority. Our provident
" Constitution has, therefore, taken care, that those who are
" to instruct presumptuous ignorance, those who are to be
" censors over insolent vice, should neither incur their con-
" tempt, nor live upon their alms. For these reasons we
" have not relegated religion to obscure municipalities or
" rustic villages. No! we will have her exalt her mitred
" front in Courts and Parliament. We will have her mixed
" throughout the whole mass of life, and blended with all the
" classes of society. The people of England can see with-
" out pain or grudging, an Archbishop precede a Duke.

" In answer to the argument, that as tithes were " originally granted by the Crown, they may " surely be resumed by the Crown and Parlia- " ment, observe says a writer, to what this doc- " trine will lead. Half the estates in this king- " dom, belonging to Lords and Commons, were " given originally by grants from the Crown. " All charters of corporations, and of mercantile " bodies, with the tolls and exclusive privileges " and profits arising from them, were given ori- " ginally by grants from the Crown. If the Crown " and Houses of Parliament can resume tithes at " pleasure, because they were originally given by " the Crown, they can resume all estates and all " charters which were so given. See, then, to " what wide overturning of property and securi- " ties this principle will lead! When eight hun- " dred years have sanctioned to the Clergy a par- " ticular kind of provision, and thousands of the " Clergy have undertaken public service on the " good faith of legal establishment, the public " cannot say at once, we will now change our " manner of payment, without breaking the good " faith of legal establishment *."

" They can see a Bishop of Durham, or a Bishop of Win- " chester, in possession of ten thousand pounds a year; and " and cannot conceive, why it is in worse hands, than estates " to the like amount in the hands of this Earl or that " Squire; although it may be true, that so many dogs or " horses are not kept by the former, and fed with the vic- " tuals, which ought to nourish the children of the poor." Burke's Reflections on the Revolution in France, p, 152.

* Who'll change Old Lamps for New? 1799, p. 9.

It is of the utmost importance to all individuals and corporate bodies, possessed of or interested in landed property, attentively to consider the immediate and future consequences of every plan, which may go to alter the Clergy's landed property in tithes. Under future kings, less tenacious of the liberties and property of their subjects than the present family of our revered Sovereigns, it may hereafter be brought forward, as a foundation for similar measures in respect to other landed property. Wherefore, the proprietors of landed estates should not permit themselves to be solely intent upon the interests of the present moment only; but should cautiously and anxiously examine, whether the more lasting interests of themselves and their posterity, to the latest generations, would not eventually be implicated in the execution of such plans.

They may indeed be induced to behold them with a favorable eye, from the prospect of immediately raising the rents of their estates 30, 40, 50 per cent. at comparatively a very moderate expense in proportion to such rise. But let them beware of being biassed by any such temptation; and on the contrary, from prudential and permanent motives, let them regard every change or innovation in the landed property of the Church, with solicitude and jealousy: for, if the Legislature of the kingdom shall at this time think itself constitutionally empowered *, or politically called upon, to

* "Whatever power a Government may have over eccle-
"siastical property, it certainly acts immorally, if it diverts

resume or exchange one species of landed property, under the idea of its having been originally the property of the State, a part of the common stock, or holden only by a grant from the Crown, or under the notion of its being injurious to the interests of the State, Why may not the Legislature at another period, in times far different from the present, under one or all of the same pleas, turn its attention to other species of landed property?

That the right of the tithe-holders to increase the annual value of their property should have been ever questioned, is most surprising; as, according to a well grounded observation, there has not been a single argument "advanced in favor of a commutation in lieu of tithes, which does not hold "much stronger in favor of a commutation in lieu "of rents*. Are the Clergy a less useful body

"to improper purposes, or diminishes in an improper degree "revenues originally destined for the support of religion, "and which should continue to be an adequate support of "it. And to ecclesiastical owners it certainly acts unjustly, "if it deprives them of what they possessed rightfully under "the laws of their country, without at least making them a "sufficient compensation. In both these respects, Henry VIII.'s "conduct is highly censurable; and the French Republican "Governors have carried their immorality and injustice, in "this, as in every thing else, to the extreme." Sturges's Reflections on Popery, note, p. 63.

* "Let tithes be considered, as they really are, a rent in "kind, known and experienced both to landlords and te-"nants; and if they make a fair calculation, such a rent "can be no reasonable bar to improvements. The argu-

" than our gentry, that jacobinical measures " should first commence with those, who seem " least disposed to countenance them? Let our " Legislature be exceeding careful of counte- " nancing any single idea, that has a tendency to " render property of any description less sacred " than it is."

Again, "They are miserably deceived, who ima- " gine any public relief can arise from the com- " mutation of tithes. Private advantage, it is " granted, may proceed from it. But let those " who study private advantage only, consider well " the question, whether it be not extremely dan- " gerous to aim at possessing property, which man- " kind have ever held to be peculiarly sacred? " Let those righteous scruples once be subdued, " which guarantee the revenues of our holy priest- " hood; and what man will hesitate to lay violent " hands on incomes less protected by conscience " and the fear of God*?".

In a debate in the House of Commons some years ago, on a bill for altering the mode of recovering tithes from Quakers, it was observed by the present able Judge of the Admiralty Court, that " it was well known, that opinions hostile to " tithes were abroad; and that it was not impos- " sible, that something of this kind might be con-

" ment that would make it so, might by parity of reasoning " be extended to the landlord's rent, and to all taxes; and " leads directly to a levelling system." Suffolk Agricultural Report, 1797, p. 289, note.

* Antijacobin Review, vol. viii. p. 523; and vol. ix. p. 97.

" nected with the present application. The effect " of the measure would inevitably tend to weaken " the security of landed property; and the house " ought maturely to consider, that attacks upon it " were always begun where it was conceived to be " most vulnerable, and in subjects where pre- " judices against it prevailed. A memorable ex- " ample of this, occurred in another country. In " France first the tithes of the Clergy were at- " tacked*; the property of the Crown was then " all seized: the manor rights of the proprietors " were first attacked; titles and nobility followed: " property was the next object of plunder; till " scenes of injustice and disorder ensued, which " struck at the repose and tranquility of Europe.

" When James Ist, projected a change in the " government of the Welsh Marches, the Earl of " Salisbury, Lord Treasurer, grounding himself " on the history and laws of the land, laid before " His Majesty such weighty reasons against the " measure, that the design was given up: he con- " cluded with an observation, which deserves to

* " When Robespierre guillotined the rich landholders to " assign their estates to the disposal of the nation, he did no " more than draw a very accurate deduction from the prin- " ciple that had been established by the first Assembly re- " lative to the Clergy." De Moleville's Annals of the French Revolution, vol. ii. p. 332. And it has been observed, that " he who rashly sanctions the abolition of a prerogative, or " a privilege, or the smallest right of another, invites and " justifies the plunder of his own."

" be maturely considered by all, who meditate in-
" novations of any sort. Substructiones antiquæ
" nec facilè destruuntur, nec solò ruunt *."

If existing circumstances, the voice of the nation, the wishes of the land-occupiers, or whatever cause the advocates for an abolition or commutation of tithes may chuse to assign, be now permitted to require the subversion of the Clergy's title to their tenth part, other causes, perhaps derivable from the same parent stock, may in future times imperiously demand the subversion of the land-proprietors' title to the other nine parts. Thus, in the present day, the advocates for an abolition or commutation of tithes say, that the rights of the Clergy are utterly inimical to agriculture, are the bane of land-occupiers, and an usurpation of their profits; and are exacted in return for the performance of little or no duties to the State †.

* Archdeacon Churton's Lives of Bishop Smyth and Sir Richard Sutton, p. 293.

† " Some land-holders have objected against the Clergy's
" possessing so large a share of the property of the kingdom
" for the performance, of what appears to them, such trifling
" services. But it should be shewn, that land-holders, as
" such, perform more useful services for the much larger
" share which they enjoy. Estates were formerly military
" benefices, and not property; and were therefore trans-
" mitted to such only as could serve in the army, and per-
" form in person the conditions on which they were originally
" granted. (Hume's History of England, vol. i. p. 349.)
" Their having rendered these military benefices sinecures,
" does not entitle them to object against the claims of those
" who are still in the performance of the services, in reward

But in future times it may be then said, that the rights of the land-proprietors operate against the improvement and extension of agriculture with more unlimited force, and are a most oppressive tax on the laborious and expensive cultivation of the soil; that the improved value of the soil being of the improver's creation, ought to be his exclusive property; and that the rents themselves paid for the use of the soil far exceeds the services of the land-owners to the State, which are inconsiderable in themselves and negligently performed.

That such ideas are neither novel, nor resulting from any inquiries of modern political writers into the nature and property of rent, appears from the following passages in a work published above thirty years ago.

"Regarding the whole wealth of the commu-
"nity as belonging of right to themselves, land-
"holders stand foremost in opposing the impo-
"sition of exorbitant taxes by the State, forgetting
"the exorbitancy of that taxation, (the exaction
"of exorbitant rents, in consequence of their ex-
"clusive right to the improved and improvable
"value of the soil of their estates,) which they
"themselves impose on the cultivators of the soil,
"and which the Sovereign may in justice, and in
"the way of retaliation ought to regulate and re-

"for which their possessions were originally granted: for the "Clergy are still the public instructors in religion and mo-"rality." Dr. Belward's Defence of the Right to Tithes on Principles of Equity, 1794, p. 16.

" strain. They clamor aloud against pensions and " sinecure places, bestowed by the Sovereign, not " adverting that their own large incomes are in- " deed pensions, and salaries of sinecure offices, " which they derive from the partiality of muni- " cipal law in favor of that order of men, by whom " its regulations are virtually enacted. The injury " done to the community at large is the same, " whether such unjust distribution be made by the " chief magistrate, or by the system of laws itself. " The injustice proceeding from the latter, will " always be more permanent, and more extensive."

Afterwards remarking, that land-holders are accustomed to complain bitterly against the tithes of the Clergy, as an usurpation on their most evident rights, as the bane of agriculture, and as wages exacted for which little or no duty is performed, the same writer proceeds, " The right of " the land-holder must be allowed to operate in " the same manner, with more unlimited force. " The foundation of both rights, notwithstanding " prejudices on either side, is precisely the same, " viz. the improvident regulations of municipal " law. And, if any pretensions to an higher ori- " ginal are advanced, those in favor of the tithe " right, are no doubt most plausible. If considered " as the reward of duties, to be performed to the " public, the incomes of the Clergy, after ad- " mitting all that spleen has advanced against that " order of men, must appear by far better earned. " How slight indeed in themselves, and how neg-

" ligently performed, are those duties which the " State seems to expect at the hands of the land- " holders, in return for their affluence!"

And in another passage, speaking of Frederick the Great, King of Prussia, he says, " As for the " land-holders, so little is he influenced by par- " tiality to them, or any apprehensions of their " discontents, that he actually levies a tax of 33 " per cent. (and in the case of noble tenures, " more,) on the real not supposed rents of their " estates. Is not this treating them, (in con- " formity to that idea of their just rights formerly " suggested,) as merely trustees or bankers for the " public, to the full amount of the original value " of the soil *?"

Again, " Who will undertake to demonstrate " the positive or comparative evil of having a cer- " tain, and that too a large portion of property, " passing in succession to persons whose title to it " is, always in theory and often in fact, an eminent " degree of piety, morals and learning; a pro- " perty which, by its destination, in their turn, " and on the score of merit, gives to the noblest " families renovation and support, to the lowest " the means of dignity and elevation; a property, " the tenure of which is the performance of some " duty, and the character of whose proprietors de- " mands at least an exterior decorum of manners; " who are to exercise a generous, but temperate

* An Essay on the Right of Property in Land, 1782, pp. 44, and 178.

" hospitality; part of whose income they are to
" consider, as a trust for charity; and who, even
" when they fail in their trust, and degenerate into
" a mere secular nobleman or gentleman, are in
" no respect worse than those who may succeed
" them in their forfeited possessions. Is it better,
" that estates should be held by those who have no
" duty, than by those who have one? by those
" whose character and destination points to virtue;
" than by those who have no rule and direction in
" the expenditure of their estates, but their own
" appetite*?"

Any alteration in the landed rights and property of the Clergy must without doubt disturb the title of all other landed rights and properties: because, as the Constitution has secured to the Clergy the same successive and essential right to their landed property, by which she guarantees the landed property of all other proprietors; therefore any compulsory change in the landed property of the Church, under whatever pretence, must weaken the security, if not set afloat the stability, of all landed property in general.

On this very point, the sentiments of the writers of a periodical publication, in reviewing an article on the subject of tithes, appear to be correct and appropriate. " As to this author's favorite topic
" of Commutation, we conceive it to be pregnant
" with such injustice and mischief, as to hope it
" will never take place. We have already stated,

* Burke's Reflections on the Revolution in France, p. 240.

"what we conceive to be unanswerable objections against it; and many others might be still advanced. It is certain, that though the Clergy at present might be benefited by it, on the whole it would produce pernicious effects. The tenantry of the kingdom would be essentially hurt; but a much greater evil than all, would be the admission of the Legislature for the time being, to be Lords Paramount of the Soil: thus, by conceding to them the right of disposing of the permanent property of one class, *in perpetuum*, of the community, and that the best established, as being the most ancient peculium of the kingdom; it would incontrovertibly follow, the rest must be equally liable to the exercise of their will. It is not for the Clergy, as an ecclesiastical body, we contend; nor as having any claim, upon the ground of divine right, to the property they hold; but as possessed of property by the same right that all others, whether corporate or individuals, are proprietors, only on a basis antecedent to the rest, and which, if once subverted or disturbed, must involve all the realty of the realm in its ruin *."

From whatever source or cause these sentiments may be derived, they are so truly and forcibly applicable to the point in question, that they ought to awaken all persons or bodies of men interested in the permanent security of landed property, to a steady and deep consideration of every plan which

* Critical Review, vol. xx. p. 323.

may be brought forward, for any alteration in the present income derived from tithes in kind.

And, from a deliberate conviction of such a measure being unnecessary in itself, unjust in respect to all titheholders and the Clergy in particular, and impolitic in its direct tendency to disturb all landed property in general, may they, in conjunction with all those who wish to enjoy, under the protection of our excellent Constitution in Church and State, their paternal fortunes, or the fruits of their industry, and to deliver them down to their children's children, be earnestly excited to declare, both in and out of Parliament, in one united, truly wise, just, and impressive voice,

Nolumus Leges Angliæ mutari!

APPENDIX.

THOUGHTS ON THE COMMUTATION, OR ABOLITION, OF TITHES.

BY WILLIAM CLARK, ESQ.

A MEMBER OF THE BATH AND WEST OF ENGLAND SOCIETY FOR THE ENCOURAGEMENT OF AGRICULTURE, &c.

THE Commutation, or Abolition, of Tithes has long engaged the attention of the public; and although much has been written in elucidation of the subject, it is most evident, from the diversity of floating opinions, and from the continued inquiries of anxious agriculturists, that it still remains ill understood, and enveloped in great obscurity.

It has also long been a favorite subject of investigation with the Members of one * of our most conspicuous Agricultural Societies, who have repeatedly offered premiums for "The best Treatise "on the Commutation of Tithes;" and many have been the candidates for their approbation, without at all contributing to set the matter at rest. These writers, for the most part, appear to have consi-

* Bath and West of England Agricultural Society.

dered the ideas and sentiments of the Society on this subject to be perfectly correct; but this the Author of the following pages very much doubts, and purposes, with much respect and deference, to submit his reasons in opposition to their views and opinions, which shall be taken from their own explanations as annexed to their last premium in the following terms.

"The writers on this subject will be expected "to point out the best mode, either gradual or "immediate, to be adopted for producing the ex- "tinction of tithes; whereby the present proprie- "tors, whether Clergy or Laity, may receive a "fair compensation, and agriculture be relieved "from one of the greatest obstacles to an increased "growth of corn for the support of the people, "whose numbers are hourly increasing.

"The Society, in offering the above premium, "wish to call the attention of the public to the "subject of tithes, which have long been justly "considered, by the whole agricultural part of "the community, one of the greatest obstacles "to the improvement and increase of arable "farms."

The author of the following Essay, confining himself as closely as possible to the terms as above explained, conceives they may be comprised in the following short and simple proposition: That Tithes enhance the price, and impede the production of corn.

Therefore (as the lawyers say, not to travel out of the record, and to confine himself as much

as possible to the substance of the terms in which the Society have expressed their views) it will be the principal object of the following pages to shew,

1st. That tithes do not enhance the price of corn, or impede its increased production. And

2dly. That a commutation of tithes, "so that "the proprietors may receive a fair compensa- "tion," is not practicable, on the principle of strict justice and of reciprocal advantage to the public and to the respective proprietors.

If these points shall be fairly made out, it is submitted that the charges against tithes, as contained in the preceding explanation, will fall to the ground; and that it will be incumbent on the Society alluded to, as well as every well-wisher of his country and to the peace of the community, to embrace, in the true spirit of impartiality and candor, every opportunity and means in their power to assuage the public mind, made sore by imaginary evils; and to sooth and correct the mistaken opinions and passions of men, raised to a state of injurious irritation by the prejudices of education, or by an inadequate and superficial investigation of this subject.

The writer is well aware, that in calling in question the soundness of long-received opinions, he engages in an arduous undertaking; but, trusting to a cool and patient examination of the arguments he shall produce in support of his system, as also to the "immutability of truth," and to the gradual developement of stubborn facts, he is

strongly persuaded, that his reasoning will finally receive the stamp of public approbation and general acceptance. Under such impressions he is encouraged to proceed in the disclosure of his views.

Tithes are said to be oppressive and unjust, inasmuch as, by their operation, they prevent the raising an adequate supply of grain for the consumption of the community, and consequently enhance the price in proportion.

That they are not only an inequitable tax on the farmer, but that they are so in its worst shape, by being a tax on produce, not on profit.

These positions (confining our attention to the explanatory terms of the Society) may be considered as comprehensively including all the complaints of the corn-farmer, and of the consumer, under the head of tithe:

Of the farmer, whether he express his grievance to consist in simply paying tithe out of the unaided produce of the soil; or in paying an increased portion of its produce, gained by increased industry and augmented capital, to the proportionate diminution of his fair profit:

Of the consumer, from the apprehension of famine; and that he must pay a higher price than is requisite or needful for the staff of life.

In proceeding to examine the correctness of these complaints, it is assumed as an incontrovertible preliminary, that tithe, simplified, resolves itself into mere rent: leading directly, as well as definitively, to this conclusive position, that it can-

not, in such a shape, injure either the individual or the public as to the price or quantum of grain.

The enlightened inquirer will find, and justly consider, this one point decisive of the question; but for the information of uncultivated minds, it may be adviseable to go somewhat into detail. Therefore, in order to illustrate our argument, let it be supposed that the average annual value of tithe on a given portion of land is five shillings per acre; and that what is usually called the rent of such land, is thirty shillings per acre; it will follow that the real annual value or rent is thirty-five shillings per acre, payable to two landlords; and that it can make little difference to the cultivator, whether he pay his rent to one or two parties, except that he might probably be a loser by paying the whole to one; as it has often happened that a better bargain could be made with the rector than with the landowner; and seldom the reverse.

If, on the other hand, the land in question be supposed to be tithe-free, it cannot for a moment be doubted, but that the owner would require a rent of thirty-five shillings per acre, a circumstance that places the titheable and non-titheable tenant or occupier in precisely the same situation.

After thus endeavouring to shew that tithe is rent; let us, in the next place, inquire how rent can be "an obstacle to the increase and improve-" ment of arable farms," by asking two or three plain self-answering questions.

Does the rent of a tithe-free estate prevent the improvement and increase of arable farms? Certainly not.

Does the compound rent of a titheable estate, amounting to the sum payable for a tithe-free estate, discourage the improvement and increase of arable farms? No.

And, lastly, does not DEMAND for corn promote, or rather absolutely regulate, such improvement and increase? Most certainly, yes.

It really appears strange to ask questions, to which the answers are so plain, so obvious, and so decisive: and still more strange that, in this enlightened age, there should exist a cause for asking them.

Presuming, therefore, that this matter is too clear for controversy, it follows, with the most impressive conviction, that whether land be titheable or non-titheable is of no importance either to the individual or to the public; the produce, in either case, reaching the consumer under similar burthens, and, of course, at the same price. The extinction of tithe infallibly assumes some other shape equally burthensome to the public and to the individual; nor can all the powers of logic or calculation make the matter otherwise.

If, however, there should yet be those who will not admit the preceding illustration to be conclusive of the question, whether "tithe be one of the "greatest obstacles to the improvement or increase "of arable farms;" or whether it be any obstacle at all; it, at least, pretty plainly shews that the

farmer has no well-founded ground of argument against it, as simply forming a part of his rent; and, if so, the conclusion must follow, that it can make no difference to the public, whether lands be titheable or non-titheable.

It remains then to be considered, whether the farmer has a more solid objection to tithe in the assertion that is sometimes made,—That finding industry and capital to improve the rector's estate is a hardship, or act of injustice.

If he did not find industry and capital to improve the estate of the landowner, it certainly would have the appearance of hardship that he should do so for the rector. It would, however, only be an appearance, as shall be shewn by and by; but it must first be stated that he does find capital and industry for the landowner. This is well known to those who are conversant with the business of letting farms. They know that the landlord, for the most part, makes his own conditions as to the general management of his estates; and, most frequently, as to the particular culture of every field or piece of land; that he often prescribes as to fencing, draining, planting; ascertains and fixes the quantity of lime, or rather manure, to be applied, when and how; dictates the particular rotation of crops; and thus, by these and such-like regulations, previously stipulates the quantum of capital and industry, that must of necessity be employed to effect those operations, and to produce certain returns, out of which he also previously stipulates to receive a certain portion or

amount (which may as well be called tithe, as that of the rector) by way of rent, whether profitably produced or not. By these means the farmer is placed in a state of greater risque under the landowner than under the rector, who can only demand a certain share of what the land actually produces. But the landlord does much more. He demands the apportioned amount of what he calculates and thinks the land ought to produce under suitable husbandry and the average of seasons; and not only demands, but enforces such payment, whether the produce be equal thereto or not.

As it is believed no instance can be produced of a farmer complaining that he felt it a hardship to find the whole capital for the management of a tithe-free estate; it is therefore conceived that no well-informed person will assert that he is, on a titheable estate, placed in a less equitable situation, after having taken his farm at a net rent; and after having made suitable deductions (amongst which tithe is never forgotten) for all outgoings *.

* The Report of the Committee of the House of Commons on the subject of the Petitions relating to the Corn Laws, states the following evidence of Wm. Driver, Esq. P. 11. Being asked, "When you are called upon in your profes-"sional capacity to fix the rent of a farm, how do you "proceed to get at the value?"

He answered, "We first of all go over the land, and as-"certain what quantity of corn or grain, or other produce, "per acre, each field will produce; and then take into con-"sideration the distance of the market-towns, the convey-"ance by canals, or otherwise; we then consider the out-"goings, such as the poor-rates, and particularly the tithes,

Thus, instead of the abolition of tithes, these arguments and conclusions seem to be most clearly in favor of their continuance; so far, at least, as comes within the scope of the present inquiry regarding the price and production of corn. This should be carefully kept in remembrance.

But to suppose for a moment, (what is most certainly untrue,) that the farmer really found a capital for the rector, and not for the landowner, the hardship is not uncommon, and attaches more or less to all taxes and imposts on produce.

If a fund or estate (in imitation of the Jewish law) has been appointed by ordinances and statutes, as ancient as the days of Offa, or Ethelwulph, for the maintenance of the Clergy; there is no more hardship in such a measure, than in any public impost for the support of the State, or for other public purposes. All taxes on articles of consumption are, for the most part, in the first instance (like tithe) taxes on produce, arising out of capitals of money or industry; yet they are not complained of as inequitable, or as having a tendency to lessen the production of any article in general demand. Among many others, the miner supplies the whole capital for his adventure, and pays one-sixth, one-seventh, or any other agreed quantum of his produce to the lord of the soil. The sugar

" which is a very material part of the business, in what way " they are taken, or compounded for; or tithe-free. We " make these deductions from the annual produce of the " land, and give the farmer his fair proportion of profits."

planter does the same, and pays heavy duties on his products of rum and sugar. And so does the brewer; paying the like on his produce of beer. Yet all, notwithstanding the heavy imposts (or double and treble tithes) on the quantum of their respective products, supply the public abundantly with their respective articles: the tithe or tax thereon is never complained of as affecting a supply equal to any demand. A profit attends the affording such supply, and an adequate price will always procure, in spite of tithe, or taxes, whatever is necessary or useful.

On this principle there never will be a deficiency in the ordinary preparations and provisions for a supply of corn, equal to any demand; at a price sometimes higher and sometimes lower, chiefly occasioned by the variations of seasons, and quality of crops; but at all times (as any tyro in political economy could explain) at a price that will bear equally hard on the consumer, whether tithe, taxes, or rent, existed, or did not exist.

In the course of last summer the supply of corn on hand was considered so abundant, and the prospect on the ground so promising, that the country (in spite of tithe) appeared to overflow with corn; and the Agricultural Report for this month (January) continues the encouraging and exhilarating information by stating "that the wheats on the "ground look particularly well, and the early "sown are luxuriant. "Also," that in all the "great wheat counties, the quantity sown is fully "equal to that of the two last seasons, probably

" the most extensive ever before sown in Britain." All this, too, under the alleged pressure of tithes, and of foreign importation.

Experience has ever proved, that supply (so far as calculations and favorable seasons could be depended upon) has been the uniform result of demand; clearly shewing that arable farms have increased, and been improved, to answer the requisitions of public necessity; except when interrupted by the hand of Providence, by mercantile speculation, or by the expense and trouble of Enclosure Bills. If there be any serious impediments to the improvement and increase of arable farms, they may certainly be attributed, with infinitely more propriety, to the preceding causes, than to tithe.

The intelligent and sagacious farmer wholly disregards tithes as an injury; for, as the landowner makes his conditions, as to the management and culture of his estate, the farmer, on the other hand, takes those conditions into due consideration. He calculates the outgoings of taxes, tithe, interest of capital, rent, &c. &c. and the per contra incomings of wheat and beans, of barley and oats, &c. and strikes the probable balance of profit. This is all he really feels concerned about. He cares not for tithes or taxes, being allowed their estimated amount on what ought to be the produce of his stipulated course of husbandry. By the correctness of his calculations, he leaves himself no room for complaint.

Farming is a trading or commercial adventure; and, like all other profit and loss concerns, is re-

gulated by similar calculations, by similar policy, and is subject to similar contingences. The farmer, therefore, may with equal propriety complain of the tax and rent gatherers, as of the tithe gatherer. The principles and operation of all are the same; and the extinction or abolition of all would not place him, in the smallest degree, in a better situation as to profit, or procure for the public an enlarged or cheaper supply of grain.

It must by all be admitted, that the quantum and price of the supply of corn are the only questions (in the view of the Society's premium) affecting the public interest, and the farmer's profit.

As to quantity, the farmer will, on the soundest principles of self-interest, always endeavour to raise a supply of corn equal, on the average of seasons, to the expected demand; but on the same principles he will not do more.

As to price, that will partially vary with the quantity and quality, but will chiefly depend on the amount of the circulating medium of the kingdom. The larger that amount is, the less will be its value, and of course more of it must be given for corn, or for any other article; and vice versâ, but always relatively.

As to profit, the farmer can have no real interest in the extinction or abolition of tithes. Such an operation would not increase his gains. They would always be upon a level, or par, with those of other trades; which are kept as low as possible by that competition which uniformly and inevitably

exists in a populous country for the sale and purchase of articles of general consumption.

As to the full and regular supply, it has hitherto, with the exception of uncontrolable events, been found that the quantum of food keeps pace with increasing demand. Tithe is never thought of, when demand produces an adequately tempting price. Corn and cattle are produced, in needful quantities, at prices corresponding with the cost of producing them, added to an equitable profit. No set of people can, or will, risque their capital of money and industry for less; and none can obtain more for articles in general demand, even if tithe, taxes, and rent were all abolished. Demand and competition, joined with the necessity of labor to procure the comforts of life, mutually combine to produce these effects. They mutually protect both sellers and buyers, and equally contribute to the good order and welfare of society.

These are such self-evident and convincing truths, in exoneration of the before-mentioned charges against tithes, that it is really wonderful any question can, at this day of light and knowlege, be entertained on the subject; but as such question is yet kept alive, it may, in addition to what has already been advanced, be useful to take some further notice of it.

Many assumed calculations, chiefly founded on imaginary premises, have been exhibited to impress the injurious operation of tithes on agriculture. Instances of enclosing, and converting to tillage, lands which are commonly called waste, have been

adduced to shew, that owing to tithes, the expenses have exceeded the returns; when the conclusions should rather have been, that attempts were injudicious, or ignorantly conducted; or, what often happens, that profit was not expected from an arable course, because it was only intended as the means of reclaiming rough land to a desirable grazing state. So that most ex parte accounts, in regard to such operations, deserve no attention, and ought not to have been brought forward to prove the oppression of tithes; when it would rarely, if ever, have been found difficult to shew that the same results would have attended the same course on tithe-free land.

In more particularly noticing the assertion that tithe is a leading obstacle to reclaiming waste lands, it may be remarked, that, correctly speaking, there are no waste lands in this kingdom. That, what are so called, are naturally productive to a certain value; and are only improved by expensive agricultural operations, when the owner, from increasing demands and tempting price for produce, thinks it his interest to improve them; and, when they are to be improved, it for the most part happens that an Enclosure Bill is a preliminary step. That in such bills provisions are generally contained to exempt the improver from tithe for a limited term; and often for ever, by giving the rector a portion of land in lieu thereof. But what does the public, or individuals, gain by this? Just nothing at all, so far as tithe or no tithe is the question. The rector obtains, probably, about one-

seventh of the land as an equivalent for one-tenth of its produce; but the farmer must (as before shewn) pay his landlord, whether lay or clerical, an additional rent, equal to the net annual value of tithe. So that the change is merely nominal, producing neither more or less in quantity of corn, or at a higher or lower rate, than if the soil had continued titheable. All this, too, on a supposition that the rector (who, it must be remembered, has only a life interest) will manage his land with the care and provident precautions of an owner in perpetuity. It is not to be expected that a clergyman, from his education and academic habits, will be duly qualified to manage a farm to the best advantage, either in regard to his own interest or that of the public; or that he may not sometimes be tempted to sacrifice its capability of permanent productiveness to temporary emolument; leaving to his successor a beggared estate, to descend, in all probability, to many successors with increasing empoverishment, to the mutual injury of the public and of the incumbent, by depriving both of that produce, which would have been duly maintained and preserved by a lay-owner. So much for the very objectionable plan of giving a clergyman land instead of tithes! "to "which may be added, that throwing into mort-"main so much land, as would be equal in value "to the tithes of the nation, would, in various re-"spects, introduce evils of infinitely greater mag-"nitude, than those that are supposed to attach "to their continuance. Anti-tithists, in the hurry

" of their ardor to escape an imaginary evil, lose " sight of the sage lesson that may be taken from " the good old homely adage of *Leaping out of* " *the frying-pan into the fire* *."

As calculations of profit and loss must invariably decide questions of this kind, it is conceived that no rule of arithmetic can controvert the preceding statements, or shew that the publick can possibly gain any thing, either as to an increased quantity of grain, or as to the reduction of its price, by the abolition of tithes.

Experience uniformly shews that improvements in arts, manufactures, and commerce, or agriculture, regularly keep pace with demand for their produce; which produce, in the ordinary course of human affairs, it will never distress the consumers, in a greater degree, to obtain, whether rent, tithe, and taxes exist, or do not exist; being the natural consequence arising out of the relative connection that always exists between the value of labor and the amount of the circulating medium of the country. Therefore, the relative situation and condition of the growers and consumers of corn will, under any and all modifications, be ever the same; and, for a further example, the situation of laborers will always be relatively the same. They will always have the same relative proportionable means of obtaining the necessaries of life, whether interwoven with, or not interwoven with,

* This passage, marked by inverted commas, is added at the request of Mr. Clark.

imposts for the support of the State; or with rent and tithe for the maintenance of the land-owner and rector; or whether corn be dear or cheap. The abolition could in no respect amend the condition of the poor. Their lot is to labor; but the price or quantity of their labor will, as a matter of unerring certainty, always bear a relative proportion to the nominal rise or fall of the necessaries of life. Their earnings, whether at higher or lower relative wages, will at all times procure the same supplies of food, &c.; so that whether the laboring man, or any other man, shall earn 2s. 4s. 8s. or any other sum per day, (being relative rates varying with the times,) his situation in the course of human affairs will ever be relatively the same. Tithe or no tithe can make no alteration in his circumstances, or in those of the publick, either as to the price, or as to the needful supply, of corn. Improved morals, the parents of industry and economy, can alone benefit all parties, and remove or alleviate sublunary evils, whether in the shape of tithe, rent, taxes, sickness, war, famine, or any other pressure.

Further, it cannot for a moment be supposed, that if tithe was abolished as to the Clergy, the land-owner would not draw from his land an additional income equal to the net value of tithe. It would be preposterous to doubt the fact. He most certainly would, and nothing could prevent him, as may be amply gathered from the general practice of lay rectors.

Or, that in such a case, the land-owner, or his

tenant, would convert more land to tillage than would be adequate to supply the ordinary demand for corn. He most certainly would not, nor could any law compel him.

If, therefore, corn would not, and indeed, could not, be raised in a larger quantity, or sold at a lower price, by the abolition of tithe; it will, of course, incontestibly follow, that no sterling good can be obtained by such an operation; but, on the contrary, that a considerable portion of disadvantage might be the result of either transferring land to the rector, or the rector's estate of tithe to the land-owner; therefore the abolition of tithes, however specious, is most certainly deceptive and mischievous, as applied to the idea of either increasing the quantity of corn beyond the ordinary demand, or of lowering the price thereof: and that the position is equally undeniable, that the farmer will always endeavour to meet the public demand; but will never produce more than he calculates the consumption will require, or sell it for a less average price than will afford him a fair profit.

To raise more corn than the demand called for, would be ruinous; and to grow less would be equally injurious to his interests. His calculations are always regulated by what he conceives will be most conducive to his advantage; so that when there is an excess or a deficiency of grain, to occasion a fall or rise in the markets, depends not on himself, but on the fluctuation of crops, on a variation of seasons, or on mercantile speculation. These causes, in common with demand, not tithe

or taxes, are the real regulators of the increase or decrease of arable farms.

Though perfectly unnecessary, it may now be expected that something should be said on another point, that of suggesting a plan for the "imme- "diate or gradual extinction of tithes." "Sed "hic labor, hoc opus est." This, in the outset of this Essay, has been asserted to be impracticable. For, in addition to the cui bono of the case, it is, in this age of endless speculation, and perpetual fluctuation of the circulating medium of this country, to call for an impossibility. It is to require the writer, under the varying obstacles of the arbitrary creation of a paper medium, the fluctuations of commerce, and the operations of a funded system, to shew how one thing may be given for another, in such a way as that both those things should always be found equal in value and in estimation!!!

Ever since the patriarchal and feudal systems have ceased to operate, the increasing national debt and paper currency have rendered the value of the circulating medium so uncertain and variable, that no system of commutation (either in money, produce, or land) can be suggested, in the case of tithe, to meet all cases and all variations, so as regularly to keep in view the reciprocal interests of the public, and of the respective proprietors. It would therefore be trifling with common sense to attempt an impossibility. That it is an impossibility, results also from another cause: that of tithe being an estate "sui generis," of an unique description; and therefore admitting

of no substitute that would at all times, and in all cases, be an equitable and never-varying equivalent betwixt payers and receivers.

After thus endeavouring to strip tithes of those prejudices and misconceptions that have been so generally prevalent, it may yet be remarked, that another matter, of considerable inconvenience and hardship on the payer of tithes in kind, yet remains to be considered; which is, that estates, called upon for such payments in kind, are every ten years deprived of what may be called their warm coat, that is, of their manure, or of the means of producing manure; so that the owner, or his tenant, is either compelled to purchase hay, straw, &c. for that purpose, or to confine himself to a more limited routine of husbandry. This, however, is no real injury to the public, or invasion of private property. The latter was purchased, or inherited, subject to that inconvenience; and the former derives a supply of grain of equal value, or quantity, from some other estate, the manure taken from one farm being uniformly carried to fertilize another, without any diminution of the general quantum of agricultural produce.

To sum up, in a few words, the substance of what has been argued, it may be assumed,

1st. That tithe-free lands do not affect the improvement or increase of arable farms.

2dly. That all lands are tithe-free; directly (by agreement with his landlord) quoad the far-

mer, and, of course, definitively, quoad the public. Therefore,

3dly. That tithe is not "one of the greatest "obstacles to the improvement and increase of "arable farms."

Or, another course of deduction may be taken, by assuming,

1st. That increasing demand is the grand and absolute regulator of the "improvement and in-"crease of arable farms."

2dly. That demand is not influenced by tithe. Therefore,

3dly, That tithe is not only not "the greatest "obstacle to the improvement and increase of "arable farms;" but that it is no obstacle at all.

Till the preceding deductions and conclusions shall be fairly controverted, it would be useless "to travel out of our present record," for the purpose of adverting to the disputes that often arise betwixt tithe-owners and tithe-payers, or to any other minor considerations. They are (however to be greatly lamented) most clearly foreign to the present question, (which should always and distinctly be kept in mind,) whether tithes do, or do not, affect the increase or decrease of arable farms, and the consequent rise or fall in the price of their produce.

Before he concludes, the author wishes to state that the leading object of this Essay in defence of tithes, so far as the existing order of things and the welfare of society are involved therein, has

been to convince the uninformed and dissatisfied of their mistakes and unreasonableness; from the idea that much may be thus gained towards quieting the minds of men, and promoting the comfort and peace of society; as well as by shewing that what is complained of, and resisted with so much acrimony, is, instead of being injurious, most clearly the reverse.

The author has also been anxious to contribute his mite towards an elucidation of the preceding subject, from a firm impression on his mind, that, whenever an influence and a power shall be collected, equal to the enforcing an extinction of tithes, the extinction of the remaining rights in land and other property will soon follow, accompanied by all the horrors of anarchy, civil war and revolution.

These evils every good and rational man will equally deprecate and struggle to prevent, by endeavouring to remove those prejudices and popular errors that have been too often and too successfully resorted to by the ignorant, as well as by artful agitators, and factious demagogues.

Jan. 23, 1815.

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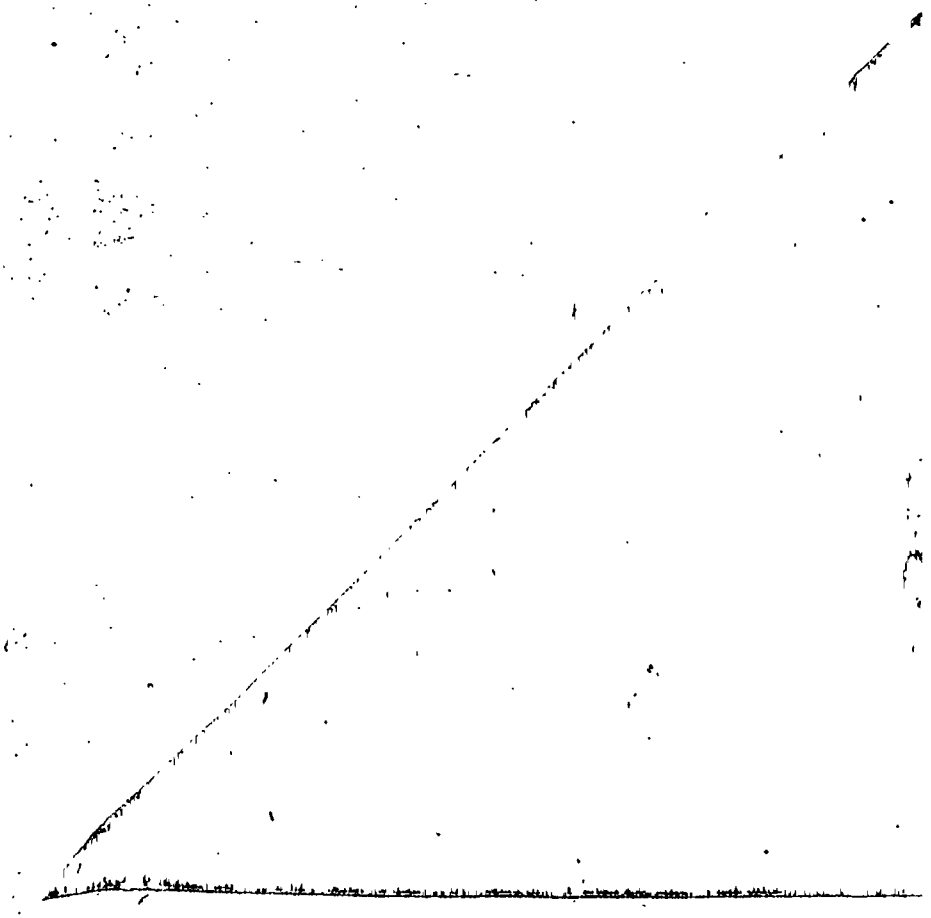

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